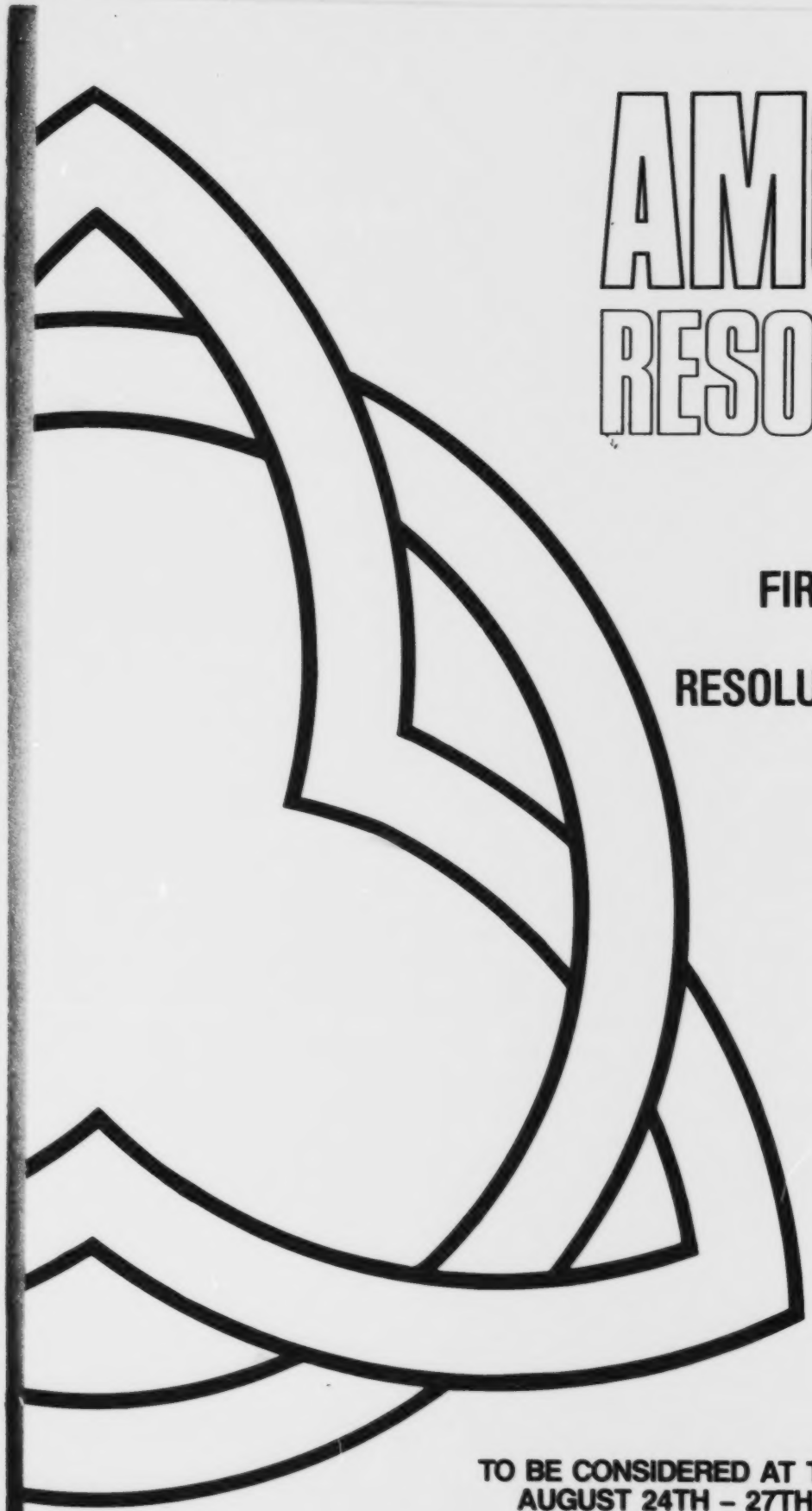

AMO RESOLUTIONS

FIRST REPORT OF THE LEGISLATIVE AND RESOLUTIONS COMMITTEE

TO BE CONSIDERED AT THE ANNUAL CONFERENCE
AUGUST 24TH – 27TH, 1986 TORONTO, ONTARIO

86-05078/

OMNIUM GATHERUM

I am certainly not one of those who need to be prodded; in fact, if anything, I am the prod.

Winston Churchill

It is well to affirm your own truth but it is not well to condemn those who think differently.

Socrates

Bullfight critics ranked in rows
Crowd the enormous plaza full;
But only one is there who knows
And he's the man that fights the bull.

Domingo Ortega

Nothing gives one person so much advantage over another as to remain cool and unruffled under all circumstances.

Thomas Jefferson

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PREFACE

The resolutions in Section "A" have all been reviewed by the Standing Committee on Resolutions, and have been printed as edited or consolidated by the Committee. Where the Committee has consolidated resolutions similar in content, the sponsoring municipalities have been notified that this action has been taken. In addition, if the provincial or federal authorities have implemented the recommendations, the resolution has not been reprinted. The sponsors of these resolutions have been notified.

Resolutions in Section "B", on the recommendation of the AMO Legislative and Resolutions Committee have already been enacted by the AMO Board of Directors as they either fall within the general policy positions or by resolutions adopted by the Board of Directors.

Most resolutions have been reviewed by the relevant AMO Special Committees who provide invaluable assistance and advice to the AMO Legislative and Resolutions Committee for resolutions falling within their areas of expertise. In addition, the AMO Sections have also played a fundamental role in the resolutions process, and the opinions expressed through the Sections have been articulated and included in the Resolutions Book under "Section Comment".

GENERAL COMMENTS

The organization of the resolutions of the First Report of the Legislative and Resolutions Committee will be as follows:

1. That resolutions printed in **Section "A"** of the resolutions book be placed before the Annual Conference for debate in the following order of precedence:

   Part I - those resolutions which bear directly on the responsibility and function of municipal government in Ontario; to be followed by

   Part II - those resolutions concerning general, social and economic issues within the jurisdiction of municipal government.

2. That the resolutions printed in **Section "B"** of the resolutions book not be debated individually as they have already been addressed either by resolution or by major policy positions adopted by the Board of Directors. Therefore, those resolutions consistent with AMO policy have already been approved by the Board of Directors on the recommendation of the Legislative and Resolutions Committee and have been submitted to the provincial and/or federal governments.

3. That **late resolutions**, provided they are received in accordance with the provisions of the Association's Constitution and Conference Rules of Order, be placed before the Conference for debate in Part I or II of Section "A".

RULES OF PRESENTATION

The Legislative and Resolutions Committee advises that:

Resolutions from member municipalities, organizations and affiliated associations, received in accordance with the provisions of the Constitution of the Association, have been reprinted in the resolutions booklet.

1. The first order of business for the Chairman of the Legislative and Resolutions Committee at the first session for resolutions debate, will be a request for a motion to confirm the procedures relating to the presentation and debate of resolutions.

   a) A delegate wishing to have a resolution removed from Section "B" and placed in Section "A" for debate at the Conference, may do so, provided the delegate introduces such motion during the opening portion of the first session on resolutions dealing with procedures; provided the delegate receives a seconder and provided the motion is carried. A resolution so moved for debate shall be introduced for discussion at a resolutions session by the Chairman of the Legislative and Resolutions Committee.

   b) Resolutions contained within Section "B" which are consistent with major policy positions of AMO are, in effect, to be considered as approved and will be reprinted in the post Conference resolutions book, in the same manner as approved resolutions from Section "A".

   c) Delegates do not have the opportunity to move resolutions forward for debate as "pre-eminent". (*)

(*) **Pre-eminent Resolutions** are those resolutions selected from Section "A" - Part I as being of singular importance to the Association and therefore, have been accorded precedence in terms of presentation and debate above all other resolutions. A list of resolutions so ordered for debate at the first resolutions session has been included within the conference resolutions book.

RULES OF ORDER

1. All resolutions, to be included in the resolutions book for presentation and debate at an Annual Conference, shall have been submitted to the Legislative and Resolutions Committee at least seventy-five (75) days prior to the Conference. A printed resolution published in the resolutions book shall be deemed to be properly before the Annual Conference. If time permits, late resolutions from member municipalities or organizations may be received and dealt with, provided the proposer delivers to the Legislative and Resolutions Committee one thousand (1,000) copies not later than one day prior to the opening of the Annual Conference. Any resolution emanating from and adopted by a Conference group session shall be forwarded to the incoming Board of Directors of the Association and shall not be debated individually by the Annual Conference in plenary session.

2. All sessions will begin and end promptly at the scheduled hours.

3. Except where otherwise provided, parliamentary procedure will prevail at all times throughout the Conference.

4. The Chairman of the Legislative and Resolutions Committee in presenting a resolution, may introduce the matter by reading the number and title, and if deemed desirable, may provide a brief explanation as to the intent or purpose of a resolution, for recommendation of non-support or an amendment submitted by the Committee.

5. Resolutions contained within the resolutions book, late resolutions or proposed amendments presented to the Conference by the Legislative and Resolutions Committee will be deemed to be properly before the Conference and therefore will not require a mover and a seconder.

6. After the Chairman of the Legislative and Resolutions Committee has introduced a resolution and presented the recommendation of the Legislative and Resolutions Committee, the representative from the municipality or organization submitting the resolution shall be given first opportunity to speak.

7. Delegates participating in the Conference discussions shall announce their name and municipality each time they rise to speak.

RULES OF ORDER

8. Delegates shall confine their remarks to a maximum speaking period of three (3) minutes. A signal light system shall be in operation to assist delegates in maintaining their remarks within the maximum time period.

9. No delegate shall be permitted to speak more than once on any resolution or amendment, except in the case of the mover of an amendment who shall have the additional opportunity to conclude debate on the amendment.

10. All motions submitted from the floor of the Conference shall be seconded before being discussed.

11. The Chairman of the Legislative and Resolutions Committee shall have the right to conclude the debate on each resolution, amendments, or on motion of referral.

12. When a motion is made to refer, the mover shall introduce the motion by these words: "I move or refer the matter to ... because ...". The Chair shall then allow one speaker, preferably a representative from the municipality submitting the resolution, to address the motion of referral. The Chair shall then put the question, allowing amendment only with respect to the direction of the referral.

13. Only registered voting delegates will be permitted to vote on questions. However, this does not preclude a registered municipal delegate from speaking to any questions before the Conference.

14. Voting shall be by a show of voting cards. A standing vote may be requested. The ruling of the Chairman of the session as to whether a vote was won or lost, shall be final. In case of a tie vote, the motion is lost.

15. Appeals for ruling shall be made to the Chairman of the session.

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Resolutions in this Section will be debated by the Annual Conference in accordance with the procedures provided.

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The Legislative and Resolutions Committee recommends that resolutions in this Section not be debated individually as they have already been addressed either by resolution or by major policy positions adopted by the Board of Directors and have been submitted to the provincial and/or federal governments.

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NOTES

Pre-eminent Resolutions Debate

First Session of Resolutions
Monday, August 25th, 1986

The following resolutions have been given special precedence. They have been selected as the more significant issues to be considered by the 1986 AMO Annual Conference.

If time permits, the presentation of the pre-eminent resolutions will commence either prior to or following the "Key-note Speaker", Monday, August 25th, as indicated on the Conference Program. If time is not permitted, then the presentation will be at 3:00 p.m. sharp.

PART I

EMPLOYER-EMPLOYEE RELATIONS

EM-1

AMENDMENT TO THE ARBITRATION PROCESS REGARDING ROLE OF THE DULY ELECTED MUNICIPAL COUNCILS IN THE BARGAINING PROCESS (86-105-5)

From: City of Etobicoke

Whereas by an arbitration award dated the 3rd day of April, 1986, the Etobicoke Professional Fire Fighter's Association, Local 1137 was awarded an increase over a two year period of 13.5 percent; and

Whereas the City of Etobicoke has negotiated two separate agreements with other employees who have a right to strike for total increases in compensation over a two year period of 8.5 - 9.0 percent; and

Whereas in the current economy, inflation is approximately four percent and provincial grants are limited to three percent; and

Whereas concerns have been expressed by the Ontario Municipal Personnel Association with respect to the fire department arbitration process; and

Whereas continued arbitration awards as set out above which fail to reflect economic realities and restraints may severely affect a municipality's ability to operate a fire department; and

PRE-EMINENT RESOLUTIONS

Whereas the arbitration process has failed to complement the collective bargaining process and has in fact undermined that process;

Now therefore be it resolved that the provincial government be petitioned:

a) to undertake appropriate procedures to amend the arbitration process with a view to reaffirming the role of the duly elected municipal councils in the bargaining process; and

b) to roll-back the arbitration award to a level consistent with other public service sector increases and the rate of inflation.

Committee Recommendation: Recommended as amended, the operative clause to read as follows:

"...

a) to undertake appropriate procedures to amend the arbitration process to ensure that it complements the bargaining process; and

b) to ensure that arbitration awards are at a level consistent with other public service sector increases and the rate of inflation."

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-2: "Compulsory and Binding Arbitration: A Proposal (1984 Edition)" recommends in part as follows:

"That a system of automatic review of awards be established so that prior to issuing of the award the arbitrator could reconsider the implications of the award on the public interest and public policy; and

That there be recognition by the provincial government of the linkage between the arbitration process and the funding of the public service."

Conference Action:

ENVIRONMENTAL CONTROL

EC-1

SPRUCE BUDWORM SPRAYING (86-115-6)

From: Thunder Bay District Municipal League

Whereas the forests are vital to northwestern Ontario's economic survival; and

Whereas the Ontario Government Task Force on Spruce Budworm Spraying recommended the combined use of biological and in remote areas faster acting chemical insecticides; and

Whereas it is apparent that our forests are in extreme danger of high mortality due to current budworm infestations which are at epidemic proportions;

Therefore be it resolved that the Ontario Minister of Natural Resources immediately reverse his decision to limit the 1986 Budworm spraying activities to biological insecticides, and meet his responsibilities to protect our forest resources by allowing the limited use of chemical insecticides as recommended by the Provincial Task Force.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Northern Ontario Section (FONOM/NOMA): At the 1986 Northwestern Ontario Municipal Association Annual Meeting, endorsed.

Conference Action:

FINANCE

FIN-1

DESIGNATION OF PROVINCIAL LOTTERIES FOR PHYSICAL FITNESS, SPORTS, RECREATIONAL AND CULTURAL PROGRAMS AND FACILITIES (86-145-6)

From: Society of Directors of Municipal Recreation of Ontario

Whereas on May 13th, 1986, the Treasurer of Ontario announced and received first reading of Bill 38 to amend Section 9 of the Ontario Lottery Corporation Act by striking out "to be available for the promotion and development of physical fitness, sports, recreational and cultural activities and facilities"; and

Whereas this amendment is considered to be detrimental to the provision of essential activities and facilities necessary for the recreational pursuits of the citizens of Ontario; and

Whereas provincial government priority and funding for fitness, sports, recreational and cultural activities and facilities is presently inadequate and not in keeping with the needs and priorities at the local level;

Therefore be it resolved that the Government of Ontario be petitioned to rescind proposed Bill 38 which would remove designation of Wintario and Lottario profits from physical fitness, sports, recreational and cultural activities and facilities; and

Further be it resolved that the provincial government reconfirm its support for recreational activities and facilities by allocating all profits from Wintario and Lottario for such activities and facilities on an annual and reliable basis to enable municipalities and agencies to carry out the appropriate planning and development; and

Further be it resolved that the provincial government carry out a comprehensive Recreation and Parks Needs Study throughout the province to determine the legitimate financial and resource support necessary to assist municipalities and agencies in providing adequate recreation and parks services and facilities in terms of:

1. the delivery of recreation programs and services to the people of Ontario;

2. capital funding for new facilities;

3. capital funding for the conservation of existing facilities;

4. ongoing operational funding for development, planning and new initiatives; and

5. research and consultative services to recreation and parks clients of the government.

Committee Recommendation: Recommended.

Supplementary Information: The Ontario Treasurer, the Honourable Robert Nixon, has introduced Bill 38, An Act to amend the Ontario Lottery Corporation Act, which received First Reading on May 13th, 1986. The AMO Executive Committee in a communication dated June 17th, 1986 to the Ontario Treasurer regarding the re-direction of lottery funds, commented as follows:

> "The Association urges the government to defer passage of Bill 38, An Act to Amend the Ontario Lottery Corporation Act, in its present form and initiate dialogue with AMO to ensure that at least the "traditional" funding mechanisms under the Ontario

Lottery Corporation Act remain in place for recreation and cultural programs and facilities. ..."

Section Comment

Rural Executive Committee: Recommended as amended with the deletion of "all" from the second line of the second operative clause.

Conference Action:

HEALTH AND SOCIAL SERVICES

HSS-1

REQUEST TO INCREASE THE SUPPLY OF LONG TERM NURSING CARE BEDS TO MEET THE NEEDS OF ONTARIO'S SENIOR CITIZENS
(86-045-38)

From: District Municipality of Muskoka

Whereas the Ministry of Health, the Ministry of Community and Social Services, and municipalities share financing long term nursing care services for seniors in Ontario; and

Whereas the supply of long term nursing care beds is insufficient to meet demand, resulting in the overburdening of acute care services and hardship to Ontario's senior citizens; and

Whereas an increase in municipal property tax levy to meet long term nursing care needs is inappropriate;

Now therefore be it resolved that the government of the Province of Ontario be petitioned to recognize the inadequate supply of long term nursing care beds and to increase the number of beds funded to more effectively meet the needs of Ontario's senior citizens.

Committee Recommendation: Recommended.

Supplementary Information: The Minister for Senior Citizens' Affairs, the Honourable Ron Van Horne released a White Paper entitled, "A New Agenda: Health and Social Services Strategies for Ontario's Seniors". Its central purpose is to develop a comprehensive system of services to help seniors live active and independent lives in their own communities and to reduce significantly preventable and unnecessary institutionalization, and in order to accomplish this, the White Paper sets out a broad plan based on five strategies.

The White Paper does address the question of "long-term institutional care encompassing extended care and residential care". The Association of Municipalities of Ontario will be responding to the White Paper, with the AMO report to be made available some time in the fall.

Conference Action:

HSS-2

REMOVAL OF INDIRECT DAY CARE SUBSIDY (86-045-8)

From: Northwestern Ontario Municipal Association

Whereas day care is an important service made use of by all segments of the population of northern Ontario; and

Whereas in addition to providing care for children of working parents, northern Ontario day care centres also provide socialization for children of non-working parents, thereby assisting in the prevention of child abuse and cabin fever; and

Whereas the Ontario provincial government has set a policy that indirect subsidization for day care users shall be removed and that all day care centres must operate on a full cost user fee basis; and

Whereas such a policy will cause extreme financial hardship for most user families who are not eligible for a direct fee subsidy, to such an extent that only families eligible for a direct fee subsidy may be able to afford day care services in northern Ontario; and

Whereas the number of families eligible for direct fee subsidy will not sustain a normal day care centre operation in many northern Ontario communities, day care staff will have to be reduced and municipal day care costs will increase; and

Whereas a much needed service will be lost to a large percentage of northern Ontario parents; and

Whereas enrollments may decrease and municipal day care operational costs may increase to a point wherein the closure of certain day care centres may be necessitated;

Therefore be it resolved that the provincial government of Ontario be petitioned not to remove the indirect subsidy of day care centres in northern Ontario.

Committee Recommendation: Recommended as amended by deleting all references to "northern".

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

HSS-3

REQUEST THAT PROVISION FOR TRANSITIONAL HOUSING AND SUPPORT SERVICES BE MADE AVAILABLE WITH RESPECT TO THE DEINSTITUTIONALIZATION OF THE PSYCHIATRICALLY DISABLED (86-090-2)

From: City of Kingston

Whereas it is the policy of the Ministry of Health to deinstitutionalize the psychiatrically disabled where possible; and

Whereas at any one time, there are from 40 to 50 psychiatrically disabled clients on general welfare assistance roles in Kingston; and

Whereas this group of citizens is the most difficult to house, since most are single adults on disability pensions or general welfare assistance; and

Whereas there does not appear to be a co-ordinated effort to provide different types of support housing needed by ex-patients, it being noted that some are capable of assuming responsibility for living alone or with one or two others in an apartment or house if such were available, rather than in a boarding house situation;

Therefore be it resolved that the Ministry of Health be requested to combine, with its policy of deinstitutionalization of the psychiatrically disabled, provision for transitional housing and support services to help ex-patients make the adjustment to community living.

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 83-9: "Response to Blueprint for Change: The Next Ten Years, Interim Report of Dr. G.F. Heseltine", recommends in part as follows:

> "that the Province of Ontario allocate sufficient funding for programs and services to the mentally ill, such as preparatory programs within institutions and appropriate accommodation and support services within the community, so that the provincial government will be able to meet its responsibility to deinstitutionalization and non-institutionalized psychiatric patients."

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

HOUSING

H-1

NON-LIMITATION TO THE NUMBER OF LOANS ELIGIBLE UNDER THE ONTARIO HOME RENEWAL PROGRAM (86-092-3)

From: Town of Rockland

Whereas according to the Ontario Home Renewal Program of the Province of Ontario, a person who has already received a loan for renewal, cannot be eligible again under this program;

Therefore be it resolved that a request be made to the Association of Municipalities of Ontario to recommend to the Ministry of Municipal Affairs to amend the guidelines of the Ontario Home Renewal Program of the Province of Ontario so that a person is not limited to the number of loans he/she can afford.

Committee Recommendation:

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-4: "Response to the Ministry of Housing's Guidelines for the redistribution of funds under the Ontario Home Renewal Program", recommends that the Ministry and AMO representatives review the OHRP criteria. The Minister of Housing has indicated that a complete review of the program will be undertaken and that AMO will be involved in this review.

Section Comment

Small Urban Executive Committee: Recommended.

Conference Action:

MUNICIPAL INSURANCE

MI-1

INTRODUCTION OF LEGISLATION WITH RESPECT TO MUNICIPAL LIABILITY INSURANCE (86-050-8B)

From: City of Mississauga/City of Thunder Bay

Whereas there have been substantial changes in the insurance market with respect to comprehensive general liability insurance for municipalities and local boards, including dramatic increases for insurance premium costs, increased deductibles, reduced coverage and restricted availability of insurance carriers; and

Whereas the reasons for the current state of liability insurance market include court decisions that have expanded the areas of municipal liability and the amount of liability awards; and

Whereas one of the ways to effectively deal with this situation is to limit the liability of public bodies such as municipalities and local boards to reasonable and socially acceptable standards; and

Whereas municipal governments, in attempting to obtain comprehensive general liability insurance for the year 1986 have experienced increased premiums and reduced and restricted coverage; and

Whereas it is in order for municipal governments to take steps to attempt to reduce risks and protect its elected officials, officers and employees;

Therefore, be it resolved:

a) That the Premier of the Province of Ontario and the Minister of Consumer and Commercial Relations be requested to introduce government legislation:

   i) amending the Occupiers Liability Act, R.S.O. 1980, C. 322, as amended to provide that persons shall be deemed to have willingly assumed all risks when entering upon lands, owned, vested in and occupied by a municipality or local board where such lands are unimproved by the municipality or the local board or, if improved, are being used for recreational purposes by those persons, in respect of whom the municipality or local board has not assumed direct supervision and control;

   ii) to provide protection from liability for municipalities, their elected officials, officers and employees of municipalities and local boards with respect to the provision of information given in good faith and without reckless disregard for the veracity thereof;

iii) to provide protection from liability for municipalities, their elected officials, officers and employees for failure to enforce any bylaws or local regulations or the provisions of any statute or with respect to the provision of inspections or the granting of approvals provided that the municipality, local board, elected officials, officers or employees thereof have conducted themselves in good faith and without reckless disregard for the foreseeable consequences of that conduct;

iv) to protect municipalities and local boards, the elected officials, officers and employees thereof from liability with respect to the installation, maintenance and operation of services, utilities and all other public works except in cases where negligence is established (this having the effect of removing liability for damages for what is known in law as nuisance so that municipalities and local boards will not be held responsible for circumstances beyond their control);

v) to provide that elected officials, officers and employees of municipalities and local boards shall be indemnified when joined in actions as a result of their conduct in course of their duties, employment or responsibilities, provided, that they have conducted themselves in good faith and without deliberate, wanton, or malicious wrongful conduct;

vi) to provide reasonable limitation periods for claims against municipalities and local boards, their elected officials, officers and employees;

vii) to permit municipalities and local boards to deposit upon the title of real property notices with respect to the enforcement of its bylaws, regulations and any statutes so as to inform future owners of the failure of the previous owner to take corrective actions for which the municipality or local board cannot be held responsible.

b) That the Premier of Ontario and the Attorney General be requested to review the provisions of Bill 1, An Act to revise the Family Law Reform Act, particularly Section 61 thereof, in light of the current Court decisions, to reduce the uncertainty and to reduce the exposure to claims for compensation that the claimant might reasonably have expected to receive from the person injured if the injury or death had not occurred.

c) That the Province of Ontario enact a legislative ceiling on court awards that may be made arising from municipal liability actions, particularly relating to punitive damages.

d) That the Association encourages the Ministry of Municipal Affairs to collect and analyze the necessary data of the "Municipal Liability Insurance Information Survey".

AMO also received resolutions on the subject matter from Town of Ancaster; City of Chatham; County of Elgin; Town of Exeter; City of Hamilton; Town of Flamborough; County of Grey; Township of Ignace; Township of South Crosby; United Counties of Stormont, Dundas and Glengarry; County of Northumberland; Town of Wasaga Beach; Northwestern Ontario Municipal Association; and the Federation of Northern Ontario Municipalities.

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario has prepared preliminary comments to the Ministry of Municipal Affairs Advisory Committee's Preliminary Report on Municipal Insurance which was released by the Ministry in April, 1986. The Association will be reviewing the Advisory Committee's final report when it is released later this year and will be considering a more detailed response. In addition, the Ontario Task Force on Insurance Board (Slater Report) will be examined with respect to municipal insurance issues.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed, with the exception of operative clause (c).

Small Urban Executive Committee: Recommended.

Conference Action:

RECREATION, PARKS AND CULTURE

RPC-1

AMENDMENT TO THE LIQUOR LICENCE ACT REGARDING SPECIAL OCCASION PERMITS (86-050-5)

From: Northwestern Ontario Municipal Association

Whereas individual citizens are responsible for their own personal behaviour; and

Whereas the provincial government legislates and controls the sale of liquor and realizes sizeable profits from the sale of same; and

Whereas the current Special Occasion Permit transfers from the individual the "responsibility for safety and sobriety" to both the "manag-

er of the hall" and the "hall owner" in addition to the permit holder; and

Whereas in small communities the municipality and/or school board frequently own the only facility capable of supporting larger social events; and

Whereas municipalities and boards of education are experiencing difficulty in accessing liability insurance and controlling the cost of liability insurance premiums;

Therefore be it resolved that the provincial government be requested to change the current Special Occasion Permit according to the following:

- o to specify that each individual participant be responsible for his/her own personal sobriety and safety;
- o to indicate that the Special Occasion Permit holder share in that responsibility; and
- o to delete all reference to third and fourth parties (i.e. managers and owners).

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

GENERAL

GEN-1

SALE OF BEER/WINE IN CORNER STORES (86-050-1B)

From: Township of Russell

Whereas the sale of wine and beer will provide increased revenue to small business, create employment opportunities for store personnel and, in addition, will provide an outlet facility in many small communities where there is presently no Brewer's Retail or Liquor Control Board of Ontario outlet;

Therefore be it resolved that the Association of Municipalities of Ontario supports, in principle, the sale of wine and beer in corner stores in the Province of Ontario.

Committee Recommendation: Recommended as amended by adding the following new clauses:

a) Addition of the following new introductory clauses:

"Whereas it is proposed to sell wine and beer in corner stores; and

Whereas the local municipality can best determine the wishes of its citizens;"

b) Addition of the following new enacting clause:

"Furthermore, that the sale of beer and wine in corner stores be allowed only under the following conditions:

i) legislation be enacted allowing the local municipality to permit these sales; and

ii) province wide regulations, licencing, inspection and control be the responsibility of the provincial government."

Section Comment

Rural Executive Committee: Not Recommended.

Small Urban Executive Committee: Not Recommended.

Conference Action:

GEN-2

REQUEST THAT THE PROVINCIAL GOVERNMENT RECONSIDER ITS POSITION OF SELLING BEER AND WINE IN CORNER STORES
(86-050-1)

From: Town of Exeter/City of Thunder Bay

Whereas the Attorney General of the Province of Ontario has asked all communities to establish Drinking and Driving Countermeasures Committees as part of their efforts to reduce drinking-driving and the serious harm and suffering it causes; and

PRE-EMINENT RESOLUTIONS

Whereas the people of the Province of Ontario, the Ministry of the Attorney General, and more recently, the courts, have expressed a strong concern about the number of drunken drivers through letter to the editors, our community councils, through the elimination of "Happy Hours" and more severe sentences and a broadening of police powers; and

Whereas there is a considerable amount of evidence that increased availability of alcoholic beverages leads to increases in consumption and increases in alcohol related damage; and

Whereas convenience and grocery stores are often manned 24 hours a day by young people who, themselves, may not have the legal right to consume alcoholic beverages and who may not be experienced enough to discern who should be entitled to purchase beer or wine; and

Whereas convenience stores are often the targets of thieves and violent individuals who presently demand the small amounts of cash in the tills, but will attract an additional element who will demand alcohol and thus increase petty theft and dramatically increase the potential for violence;

Therefore be it resolved that the Association of Municipalities of Ontario advise the leaders of all three political parties as well as the Attorney General of Ontario and the Minister of Consumer and Corporate Affairs and the Minister of Health to reconsider its position in expanding beer and wine outlets to convenience or grocery stores; and

Furthermore, that the Association objects to the introduction of measures that would have as their effect the sale of any alcoholic beverages in convenience or grocery stores.

AMO also received resolutions on this subject from the Town of Wiarton, Town of Oakville and the City of Welland.

Committee Recommendation: Not Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Executive Committee: Not Recommended.

Conference Action:

Section "A"
Part I

Resolutions in this Section will be debated by the Annual Conference in accordance with the procedures provided.

Resolutions within this Part are those which bear directly on the responsibility and function of municipal government in Ontario.

ADMINISTRATION AND LEGISLATION

AL-1

AMENDMENT TO THE MUNICIPAL ACT AND OTHER APPLICABLE PROVINCIAL STATUTES TO REPLACE ALL REFERENCES TO "ALDERMAN/MEN" WITH "COUNCILLORS" (86-060-1)

From: City of Windsor

Whereas Section 30 of the Municipal Act establishes the composition of the council of a city as a number of "aldermen"; and

Whereas the term "alderman" is mandated also by Orders of the Ontario Municipal Board which establishes the composition of this Council; and

Whereas the term "alderman" has its origin in centuries old traditions when "elders" and "chiefs" were almost exclusively men, and is inconsistent with the increasing number of women elected to municipal councils; and

Whereas members of council of Metropolitan Toronto, regional municipalities, towns, townships, villages and counties are all referred to as councillors; and

Whereas the term alderman predates the enfranchisement of women as electors and elected officials and there is no feminine form of the word;

Therefore be it resolved that the Minister of Municipal Affairs be petitioned to recommend to the Legislature an amendment to the Municipal Act and other applicable provincial statutes to allow for the substitution of the word "councillor" for "alderman/men" where such words appear.

Committee Recommendation: Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended, the operative clause to read:

> "Therefore be it resolved that the Minister of Municipal Affairs be petitioned to recommend to the Legislature an amendment to the Municipal Act and other applicable provincial statutes, permissive legislation to allow for the substitution of the word "councillor" for "alderman/men" where such words appear.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Conference Action:

AL-2

LICENCING AND REGULATION OF "SPECIAL SALES" (86-060-4)

From: City of Sarnia

Be it resolved that the Association of Municipalities of Ontario request a review of those sections of the Municipal Act which provide for the licencing and regulation of "special sales"; and

That the Association of Municipalities of Ontario pursue a review of the legislation affecting this issue at the provincial and federal levels.

Committee Recommendation: Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

AL-3

ELIMINATION OF HAWKERS AND PEDDLERS ACT (86-060-6)

From: Association of Municipal Tax Collectors of Ontario

Whereas the term "hawkers and peddlers" is outdated and no longer appropriate terminology; and

Whereas such activity can readily be administered through an updated transient trader legislation;

Therefore be it resolved that "Hawkers and Peddlers" legislation as found in the Municipal Act, R.S.O. 1980, Section 230(1) be rescinded and replaced with revisions to the transient traders legislation.

Committee Recommendation: Recommended.

Conference Action:

AL-4

LICENCING OF TRAILERS IN TRAILER PARKS (86-061-4)

From: Township of Amabel

Whereas municipal governments realize the importance of tourism and the need for trailer sites to be available to the travelling public who use that mode of accommodation for their travels; and

Whereas it is also important that the municipalities involved have the resources available to create those community facilities which will attract and enhance tourism; and

Whereas the Township of Amabel presently feels that the inequity is causing an undue burden on their taxpayers, whereby it is not always possible to supply an adequate level of maintenance from tax revenue to meet the current operating needs;

Therefore be it resolved that the Province of Ontario be respectfully requested to initiate one of the following alternatives:

a) initiate a licencing fee to campgrounds based upon 80 percent of total sites licenced and a maximum fee of fifteen dollars ($15.) per site. This fee would be collected from the campground operator. Those municipalities which feel that there is not inequity in the present system would obviously have the alternative of not charging a fee; or

b) that the province make provision in the grant calculation to reflect this permanency in campgrounds. Once again, the number would be arrived at by using a factor of 80 percent of sites licenced. Make a direct grant based upon 50 percent of the current per household grant ($30. per household, 1986 figure). These numbers could be confirmed to and checked by the provincial assessors or alternatively to the municipal licencing system.

Committee Recommendation: Not Recommended.

Supplementary Information: At the 1985 AMO Annual Conference, a resolution was adopted on the subject matter of "licencing of trailers in trailer parks", the operative clause which reads as follows:

> "Be it resolved that the provincial government, through the Association of Municipalities of Ontario, be urged to amend Section 232, paragraph 15, of the Municipal Act, to permit a licence fee to be assessed against the owners of trailers located within the trailer camp operated or licenced by a municipality of not more than $10. per month for each month or part of a month that the trailer is located within the trailer camp, except for the first thirty days."

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

AL-5

SEVERANCE PAY FOR MEMBERS OF COUNCILS (86-105-1)

From: City of North York

Be it resolved that the Association of Municipalities of Ontario adopt a position that severance pay for politicians be equal to that adopted by

labour relations legislation for those in the private sector, i.e. one month of severance pay for every year employed to a maximum of six months; and

That the province be requested to amend existing legislation to permit this to take place.

Committee Recommendation: No Action Required.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed.

Rural Executive Committee: Not Recommended.

Conference Action:

AL-6

REQUEST TO PERMIT BAILIFFS TO OPERATE ACROSS COUNTY LINES (86-050-10)

From: Association of Municipal Tax Collectors of Ontario

Whereas the report of the Business Tax Study Committee has recognized that the bailiff services performed on behalf of a municipality are restricted by county boundaries; and

Whereas at the present time, bailiffs are required to obtain permission to operate from county authorities; and

Whereas the Ministry of Consumer and Commercial Relations appoints bailiffs;

Therefore be it resolved that all bailiffs be permitted to operate in all jurisdictions within the boundaries of the province without being required to obtain permission from the area judiciary.

Committee Recommendation: Recommended.

Conference Action:

SECTION "A", Part I

AL-7

INCREASE OF BAILIFF FEES (86-050-9)

From: Association of Municipal Tax Collectors of Ontario

Whereas the Business Tax Study Committee has recognized that the bailiff fee schedule is outdated by present day standards; and

Whereas this has a detrimental effect on the availability of bailiff services to many municipalities;

Therefore be it resolved that the Association of Municipalities of Ontario supports the bailiffs in their application for a reasonable fee schedule increase, and to include a more substantial minimum fee.

Committee Recommendation: Recommended.

Conference Action:

AL-8

LEGISLATION TO PROVIDE THAT THE DECISION TO PLACE ANIMALS FOR RESEARCH FROM MUNICIPALLY FUNDED POUNDS BE A LOCAL OPTION (86-030-1)

From: City of York

Whereas provincial legislation requires that municipal animal control departments must give up animals for research purposes; and

Whereas York has been at the forefront of progressive programs implemented to deal with reducing the number of unwanted animals; and

Whereas such programs as the spay-neuter clinic; the hiring of a consulting veterinatian for the health of sheltered animals; the first rabies vaccination clinic; the on-going in-school educational program have resulted in the animal total for impounded dogs falling by 77 percent in six years and this reduction reflects the success of our methods and service; and

Whereas the York shelter staff opposes the use of public household pets for research animals; and

Whereas the stated or implied purpose of the legislation is the breeding and raising of research animals in Ontario as an inexpensive source of supply through the use of public facilities; and

Whereas this alone is not a justification for giving up the public pets for research purposes when other provinces in Canada provide for facilities geared for producing research animals;

Be it resolved that the relevant ministries be requested to amend or repeal the aforementioned legislation to provide that the decision to place animals for research from municipally funded pounds be a local option, and further; that consideration be given to the establishment of facilities in the province for the purpose of providing animals for research; and

Further that the Lieutenant Governor in Council be requested to provide by regulation pursuant to Section 23(N) for the exemption from the Animals for Research Act, the persons directing or conducting the City of York Animal Shelter from the provisions of the said Act; and

Further that any operators of research facilities who have indicated, or who intend to indicate their intention to request the operator of the City of York Animal Shelter to sell him a dog or a cat pursuant to Section 20 of the aforesaid Act, be requested to withdraw or withhold such request pending the decision of the Lieutenant Governor in Council on the application for exemption.

Committee Recommendation: Recommended as amended with the deletion of the last two operative clauses.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended with the deletion of the last two operative clauses.

Rural Executive Committee: Recommended as amended by deleting the phrase "municipally funded" from the first operative clause.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed as amended by deleting direct reference to "City of York and City of York Animal Shelter" where noted.

Conference Action:

AL-9

AMENDMENT TO THE MUNICIPAL CONFLICT OF INTEREST ACT REGARDING THE REQUIREMENT OF DISCLOSING A PECUNIARY INTEREST IN A MATTER BEFORE THE COUNCIL OR LOCAL BOARD
(86-060-10)

From: Town of Pickering

SECTION "A", Part I

Be it resolved that the Minister of Municipal Affairs be requested to amend the Municipal Conflict of Interest Act, 1983, to allow members of councils to be exempt from Section 5 of the said Act, which requires the disclosure of a member of council who has a direct or indirect pecuniary interest in a matter before the council or local board, where that member has an interest in common with electors in the neighbourhood where he/she lives.

Committee Recommendation: Recommended.

Supplementary Information: Section 4 of the Municipal Conflict of Interest Legislation, 1983, provides a list of situations where a member may have a pecuniary interest which is not considered to present a conflict and to which the Act does not, therefore, apply. In the situations as outlined within the Section, a member need not disclose the pecuniary interest which includes the following pecuniary interest relating to:

- having a pecuniary interest which is an interest in common with electors generally; and
- having a pecuniary interest which is so remote or insignificant in its nature that it cannot reasonably be considered as likely to influence the member.

These exceptions place a special onus on the member to decide whether an interest he/she has, which is not otherwise specifically excepted, can be excepted because it is an interest held in common with electors generally or is remote and insignificant. A common example of a remote and insignificant interest could be single membership in a large community service club. However, it is strongly suggested that a member seek legal advice from his/her own solicitor if he/she is unsure about the nature of a pecuniary interest he/she has in a matter.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed.

Rural Executive Committee: Not Recommended.

Small Urban Executive Committee: Not Recommended.

Conference Action:

AL-10

AMENDMENT TO THE DRAINAGE ACT TO PROVIDE FOR A MANDATORY COST BENEFIT STUDY FOR EACH PETITION FOR DRAINAGE WORKS (86-030-4)

From: Township of Neebing

Whereas the Drainage Act does not currently require that a mandatory cost benefit analysis be conducted for each petition for drainage works as described under Section 4 of the Drainage Act; and

Whereas such a cost benefit study would provide all interested parties, including the Ministry of Agriculture and Food, the municipality, and the petitioners, with a true indication of the worthiness of any proposed drainage works;

Now therefore be it resolved that the Minister of Agriculture and Food be petitioned to consider amendments to the Drainage Act such that a cost benefit study of each petition be made mandatory, and any costs related to the study be subsidized in part by the Ministry, and the petitioner(s).

Committee Recommendation: Not Recommended.

Supplementary Information: The Council of the Corporation of the Municipality of Neebing wishes to express to the Ministry of Agriculture and Food, its dissatisfaction with the process prescribed in the Drainage Act as it relates to Section 4: "petition drains". As it is currently written, the Act is structured so as to provide petitioners with the option of appealing any action taken by the municipality to halt proceedings, even if the municipality is of the opinion that it is not in the best interests of the municipality as a whole to proceed with the application.

Section Comment

Rural Executive Committee: Not Recommended.

Northern Ontario Section (FONOM/NOMA): At the 1986 Northwestern Ontario Municipal Association Annual Meeting, endorsed.

Conference Action:

SECTION "A", Part I

AL-11

REQUEST TO ALLOW DRAIN SUPERINTENDENTS TO UNDERTAKE "MINOR" MAINTENANCE WORK OF MUNICIPAL DRAINS TO REDUCE COSTLY ENGINEERING FEES (86-030-3)

From: Township of Delhi

Be it resolved that the provincial Ministry of Agriculture and Food be petitioned to allow drainage superintendents and municipalities to look after "minor maintenance to reduce erosion and degradation of municipal drains" without the need of "costly repeat engineering fees".

Committee Recommendation: Recommended as amended to read as follows:

"Be it resolved that the provincial Ministry of Agriculture and Food be requested to develop criteria for the definition of minor maintenance to allow drainage superintendents and municipalities to look after "minor maintenance to reduce erosion and degradation of municipal drains" without the need of "costly repeat engineering fees."

Section Comment

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

AL-12

AMENDMENT TO THE DRAINAGE ACT TO INCREASE LIMIT ON MINOR IMPROVEMENTS PERMITTED WITHOUT AN ENGINEER'S REPORT (86-030-5)

From: Township of Rideau

Whereas there is an increasing realization that the installation of erosion control features on municipal drains have a significant effect on the need for future maintenance; and

Whereas the Township of Rideau wishes to encourage the installation of erosion control features on existing municipal drains; and

Whereas Section 77(1) of the Drainage Act provides for minor improvements to municipal drains by deepening, widening or extending the drainage works to an outlet, provided the cost of such work does not exceed $4,500.; and

Whereas a slight broadening of the scope of this Section of the Drainage Act would be extremely useful in encouraging the installation of erosion control features on existing municipal drains;

Therefore be it resolved that the Ministry of Agriculture and Food be requested to consider an amendment to Section 77(1) of the Drainage Act which would increase the $4,500. limit on minor improvements permitted without an engineer's report and which would broaden the scope of this Section so as to permit the installation of erosion control features on existing municipal drains.

Committee Recommendation: Not Recommended.

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

ASSESSMENT AND TAXATION

AT-1

LEVIES FOR INSTITUTIONS (86-061-3)

From: City of Etobicoke/City of Mississauga

Whereas Section 160 of the Municipal Act permits a municipality to pass bylaws to levy an annual tax to a maximum of $50. for each provincially rated bed for hospitals and facilities for the mentally retarded, each full time student at a college or university, each residential place in a correctional institution; and

Whereas this amount was set by provincial legislation in 1973; and

Whereas the inflation rate since 1973 has totalled 110.5%;

Therefore be it resolved that the Province of Ontario be requested to increase the maximum annual tax of $50. per rated capacity designation which may be levied in accordance with Section 160 of the Municipal Act.

SECTION "A", Part I

Committee Recommendation: Recommended.

Section Comment

Small Urban Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

AT-2

AMENDMENT TO THE MUNICIPAL ACT TO INCREASE THE ANNUAL TAX LEVY FOR EACH FULL TIME STUDENT ENROLLED IN A UNIVERSITY OR COLLEGE (86-061-3B)

From: City of Waterloo

Whereas Section 160 (1) of the Municipal Act provides that the council of a local municipality may levy an annual tax upon a university or college of $50. a year for each full time student enrolled in such university or college in the year preceding the year of levy; and

Whereas the amount of the annual tax has not increased from $50. since 1973; and

Whereas the cost to local municipalities to provide services to inhabitants including the student population has increased significantly since 1973; and

Whereas other forms of provincial transfer payments such as unconditional grants have increased during the period to reflect increased expenditure requirements for local municipalities;

Therefore be it resolved that the provincial government be requested to amend Section 160 (1) of the Municipal Act to provide authority for local municipalities to levy an annual tax upon such university or college in an amount not exceeding $75. a year for each full time student enrolled in such university or college in the year preceding the year of levy, as determined by the Minister of Colleges and Universities.

Committee Recommendation: Not Recommended. See resolution "AT-1" which was recommended.

Conference Action:

AT-3

AMENDMENT TO THE MUNICIPAL ACT TO ADJUST THE ANNUAL TAX LEVY ON CORRECTIONAL INSTITUTIONS (86-061-3C)

From: City of Thorold

Whereas there is located within the City of Thorold, the Niagara Region Detention Centre, a correctional institute designated by the Minister of Correctional Services; and

Whereas in accordance with Section 160 of the Municipal Act, the City may levy an annual amount upon such institution, not exceeding the sum of $50. a year for each resident place in such institution as determined by the Minister of Correctional Services: and

Whereas there has been no increase in payments for the municipality since the Centre opened in 1974, with costs increasing over the years, transfer payments by the province reduced in real terms both resulting in an already over burdened tax system;

Therefore be it resolved that the Minister of Municipal Affairs look favourably into considering an upward adjustment in the annual levy on correctional institutions.

Committee Recommendation: Not Recommended. See resolution "AT-1" which was recommended.

Conference Action:

AT-4

AMENDMENT TO LEGISLATION REGARDING BUSINESS ASSESSMENT AND TAXATION OF FLEA MARKETS (86-125-1)

From: City of York

Whereas there appears to be a proliferation of flea markets in established commercial/residential districts throughout Ontario; and

Whereas the province is required to assess the individual traders or concessionaires for a business assessment rather than the owner of the property or the prime operator of the flea market; and

Whereas it is extremely difficult to collect the business taxes from the individual traders or concessionaires because of their transient nature; and

SECTION "A", Part I

Whereas it substantially increases the number of assessment appeals because of their transient nature;

Be it resolved that the Minister of Revenue be requested to review and amend the legislation enabling the owner or prime operator to be assessed and taxed rather than the individual traders or concessionaries.

Committee Recommendation: Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Rural Executive Committee: Recommended.

Conference Action:

AT-5

TAXATION OF VACANT COMMERCIAL PROPERTIES (86-125-2)

From: Association of Municipal Clerks and Treasurers of Ontario

Whereas Sub-section 7(3) of the Ontario Unconditional Grants Act provides for two tax rates, i.e. residential and commercial, and paragraph 1(1)(b) partially defines commercial assessment as "... the assessment for real property that is used as a basis for computing business assessment ..."; and

Whereas Sub-section 7(1) of the Assessment Act provides that "... every person occupying or using land for the purpose of, or in connection with, any business ... shall be assessed for a sum to be called 'business assessment' ..."; and

Whereas the current interpretation creates additional administration cost and loss to the Ministry of Revenue to continuously adjust assessment and tax records to accommodate vacant commercial property;

Therefore be it resolved that the Minister of Municipal Affairs and the Minister of Revenue be requested to amend the legislation to allow for property zoned commerical and industrial to continue with assessment as vacant commercial or industrial.

Committee Recommendation: Recommended.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

AT-6

CLARIFICATION OF THE DEFINITION OF "BUSINESS" AND NON-PROFIT ORGANIZATIONS OF THE ASSESSMENT ACT (86-125-3)

From: Association of Municipal Clerks and Treasurers of Ontario

Be it resolved that the Minister of Revenue be requested to amend the Assessment Act to specifically define the term 'business' as referred to in Sub-section 7(1) of the Act, and further clarify through legislation, those business entities to be considered non-profit organizations and thereby not subject to a business assessment computed as a proportion of its realty assessment.

Committee Recommendation: Recommended.

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

AT-7

PROPERTY TAXATION EQUALITY (86-125-4)

From: Northwestern Ontario Municipal Association

Whereas the present system of property taxation is unfair and unequitable as it creates two classes of property owners; one class of property owner in those areas with municipal organization and another class in areas without municipal organization; and

Whereas property taxes should be fair and equitable to all property owners no matter where they are situated;

Now therefore be it resolved that the provincial government be requested to implement changes in legislation that would put all property owners on the same basis, so that all services that are administer-

ed on a district basis shall have the costs of those services assessed equitably against all assessable property in that district.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

AT-8

REQUEST TO REVIEW THE FUNDING LIMITS OF THE ONTARIO PROPERTY TAX GRANT AVAILABLE TO SENIOR CITIZENS
(86-125-5)

From: Northwestern Ontario Municipal Association

Whereas a number of senior citizens in the Province of Ontario are living on fixed incomes; and

Whereas in 1980 the Ontario government introduced the Ontario Property Tax Grant in which a maximum of five hundred dollars ($500.) per household is available to senior citizens to provide property tax relief; and

Whereas the maximum available limit of the grant has not increased since first introduced in 1980;

Therefore be it resolved that the Province of Ontario be petitioned to review the funding limits of the Ontario Property Tax Grant to adequately reflect market and inflationary trends in order to provide more equitable property tax relief to the senior citizens of this province.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

AT-9

BUSINESS DEPOSIT (86-061-6)

From: Association of Municipal Tax Collectors of Ontario

Whereas many municipalities have experienced problems regarding new businesses going bankrupt, into receivership or out of business before receiving advice regarding appropriate business assessments under Section 32 or 33 of the Assessment Act, R.S.O. 1980, C. 31 or before the appearance thereof on the next assessment roll; and

Whereas this loss of business taxes can be substantial to a municipality;

Therefore be it resolved that the Province of Ontario be requested to amend the Municipal Act to permit the municipal council the authority to pass a bylaw which would allow them to charge a business deposit to every new taxable business or an existing business that is operating under a new name or different ownership; and

Further that the recommended deposit be 50 percent of the anticipated business taxes for the year and that such specifications regarding the deposit be incorporated in the bylaw; and

Further that the municipal council must indicate in the bylaw that the deposit is to be applied directly to the business taxes when due.

Committee Recommendation: Not Recommended.

Conference Action:

AT-10

REQUEST TO PERMIT COLLECTION AGENCY FEES TO BE ADDED TO THE ACCOUNTS COLLECTIBLE (86-061-7)

From: Association of Municipal Tax Collectors of Ontario

Whereas many municipalities do not have bailiff services available to them and must use the services of a collection agency; and

Whereas at present, the fees of a collection agency must be absorbed by the municipality concerned; and

Whereas in many municipalities the collection fees can be more than the municipality's portion of the tax collected;

Therefore be it resolved that the Province of Ontario be requested to implement legislation that will permit the collection agency fees for municipal business tax accounts, be added to the amount collectible from the delinquent taxpayer.

Committee Recommendation: Recommended.

Conference Action:

AT-11

REVISION TO SECTION 387 2(D) OF THE MUNICIPAL ACT (86-061-5)

From: Association of Municipal Tax Collectors of Ontario

Whereas Section 387 2(d) of the Municipal Act states that taxes may be levied with costs by distress "upon goods and chattels that are on the premises at the time of making the assessment"; and

Whereas there is no definition of the word 'assessment' in the Municipal Act and that a common interpretation is deemed to mean assessment made under the Assessment Act; and

Whereas the Assessment Act does not require provincial assessors to list an inventory of goods and chattels at the time of making the assessment;

Therefore be it resolved that Section 387 2(d) be amended to delete the words "at the time of making the assessment" and the following words inserted "at the time of distraint".

Committee Recommendation: Recommended.

Conference Action:

AT-12

REQUEST TO PROVIDE MORE INFORMATION ON BUSINESSES ON "NOTICES OF ASSESSMENT" ISSUED (86-125-8)

From: Association of Municipal Tax Collectors of Ontario

Whereas many municipalities are incorporating under numeric names; and

Whereas it is difficult for assessment and tax personnel to determine the location of such companies when the business operates under a different name than what is recorded on the assessment roll;

Therefore be it resolved that the Ministry of Revenue be requested to provide the operating style of all businesses in the owner entry of all "Notices of Assessment" issued.

Committee Recommendation:

Conference Action:

AT-13

MANDATORY NOTIFICATION TO THE MUNICIPALITY IN THE EVENT OF RECEIVERSHIPS, FORECLOSURES AND POWER OF SALE PROCEEDINGS (86-050-11)

From: Association of Municipal Tax Collectors of Ontario

Whereas many municipalities are not being notified of receiverships, foreclosures and/or power of sale proceedings relative to the business taxes; and

Whereas such notification is deemed to be necessary for the prompt and efficient assessment and collection of business taxes;

Therefore be it resolved that legislation be enacted to provide mandatory notification to the municipality in the event of receiverships, foreclosures and power of sale proceedings.

Committee Recommendation: Recommended.

Conference Action:

ECONOMIC DEVELOPMENT

ECON-1

REQUEST FOR THE PROVINCIAL GOVERNMENT TO DEVELOP AND IMPLEMENT AN INDUSTRIAL DEVELOPMENT INCENTIVE PROGRAM (86-095-2)

From: County of Renfrew

SECTION "A", Part I

Whereas the County of Renfrew is endeavouring to secure new industries and encourage the expansion of existing industries thereby alleviating an ongoing problem of unemployment in the County; and

Whereas there does not exist, in the Council's view, a Province of Ontario incentive program sufficient to assist in this regard;

Therefore be it resolved that the Province of Ontario be requested to develop and implement an industrial development incentive program which will substantially increase the levels of incentive available to new and existing industry in those areas of Ontario which are experiencing levels of unemployment and currently do not, nor have had, a significant industrial development incentive program beyond those currently in existence.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Recommended.

Conference Action:

EDUCATION

E-1

AMENDMENT TO THE EDUCATION ACT REGARDING QUALIFICATIONS FOR THE OFFICE OF "SCHOOL TRUSTEE" (86-070-10)

From: Association of Municipal Clerks and Treasurers of Ontario

Whereas many municipalities in Ontario are experiencing difficulties with the definition of "resident" in the Education Act as it applies to non-resident property owners; and

Whereas municipal clerks responsible for conducting elections are required to interpret the Education Act for such matters as qualifications for the office of school trustee; and

Whereas the Ministry of Education has advised municipalities that the term "resident" means simply that "your principal place of abode must be located within the area concerned"; and

Whereas it would appear that the definition "resident" can be interpreted to mean different things at different times depending on individual interpretation; and

Whereas Section 196(1)(c) allows anyone within the area of jurisdiction of a board of education to run for the office of school trustee in any municipality in the said area but the qualifications of ownership of property or residency as applied to a candidate for municipal council do not apply;

Therefore be it resolved that the term "resident" in the Education Act be defined and included in Sub-Section 1(1) of the said Act, and shall be the same as the Municipal Elections Act; and

Further that all reference to elections be removed from the Education Act and be included in the Municipal Elections Act.

Committee Recommendation: Recommended.

Conference Action:

E-2

REQUEST TO RELEASE A REPORT PREPARED FOR THE FORMER MINISTER OF EDUCATION REGARDING "DETERMINATION OF REPRESENTATIVES ON SCHOOL BOARDS" (86-070-4)

From: Northwestern Ontario Municipal Association

Whereas Section 59 of the Education Act, Chapter 129, R.S.O. 1980, established the size of school boards in the Province of Ontario and determined the method by which municipal clerks will determine representation on the boards; and

Whereas the determination of representation on the boards is required to be based on equalized residential assessment; and

Whereas this basis for determination causes grave inequities in representation on school boards;

Now therefore be it resolved that the Minister of Education in the Province of Ontario be petitioned to:

1. release the details of a report prepared on this subject for the former Minister of Education, the Honourable Bette Stephenson;

2. give the Association of Municipalities of Ontario an opportunity to review that report and to comment on the recommendations contained therein.

SECTION "A", Part I

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

E-3

LEGISLATION GOVERNING THE APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO BOARDS OF GOVERNORS OF COMMUNITY COLLEGES (86-070-9)

From: City of Ottawa, as deferred from the 1985 AMO Conference

Whereas the legislation governing the appointment of municipal representatives to Boards of Governors of community colleges requires the nomination of three persons by the local council; and

Whereas the City of Ottawa, in 1983, nominated only one person to be considered for membership on the Algonquin College Board of Governors; and

Whereas the Council of Regents for Colleges of Applied Arts and Technology, because of its policy, considered additional names drawn from its registry of candidates for Algonquin College, and in fact, appointed someone other than council's nominee; and

Whereas the City of Toronto adopted a resolution expressing its dissatisfaction and concerns to the Minister of Colleges and Universities with respect to this existing legislation;

Therefore be it resolved that the Association of Municipalities of Ontario endorse the concerns expressed in the resolution of the City of Toronto; and

Be it further resolved that:

1. the Association of Municipalities of Ontario express its displeasure and concerns to the Minister of Colleges and Universities and advise that it feels it is no longer appropriate for municipalities to expend public funds to choose its nominees when the body making the selection is not a part of the process; and

2. the Board of Governors of community colleges select and be accountable directly to the public for its choice.

Committee Recommendation: Recommended.

Conference Action:

EMPLOYER-EMPLOYEE RELATIONS

EM-2

AMENDMENT TO THE FIRE DEPARTMENTS ACT REGARDING ADMINISTRATION OF FIRE DEPARTMENTS AND CRITERIA FOR INTEREST ARBITRATION PROCESS (86-130-4)

From: Ontario Municipal Personnel Association

Whereas the Ontario Municipal Personnel Association has expressed concern regarding the interest arbitration process for firefighters; and

Whereas the Association has repeatedly requested amendments to the Fire Departments Act pertaining to the administration of the fire departments and proper criteria for interest arbitration; and

Whereas the province has failed to act in any manner to correct these deficiencies; and

Whereas the interest arbitration awards to firefighters and the limitations under the Fire Departments Act have severely affected the municipalities' ability to operate an effective and efficient fire department;

Therefore be it resolved that the Solicitor General be advised that the following changes must be enacted immediately:

1. that the current panel of arbitrators be removed;

2. that a new panel of arbitrators be formed as a permanent panel to deal with interest arbitrations in the public sector; and

3. that the Fire Departments Act be amended consistent with the Association of Municipalities of Ontario recommendations; and

Further that in the event that these amendments are not forthcoming in the immediate future, that the Association of Municipalities of Ontario advise the Province of Ontario that it will recommend to each of its respective Councils that each consider whether or not there is any value in continuing to participate in the interest arbitration process.

SECTION "A", Part I

Committee Recommendation: Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Executive Committee: Recommended.

Conference Action:

EM-3

AMENDMENT TO THE LABOUR RELATIONS ACT TO EXEMPT MUNICIPALITIES FROM CERTIFICATION IN THE CONSTRUCTION SECTOR AND THE AUTOMATIC DESIGNATION OF AN EMPLOYER IN THE SAID SECTOR (86-105-3)

From: Ontario Municipal Personnel Association

Whereas a number of municipalities and local boards have recently been certified by the Ontario Labour Relations Board for various "craft trades" and are bound by provincial agreements in the industrial, commercial and institutional sector of the construction industry; and

Whereas as a result of these certifications, the municipalities have been automatically designated as employers in the aforementioned construction sector under the terms of the Labour Relations Act: Construction Section; and

Whereas these collective agreements restrict the municipalities' awarding of contracts to union firms only; and

Whereas municipalities do not in any way conform to the definition of an employer in the construction industry in the same way as construction firms; and

Whereas the municipalities have not had input into the negotiations of the existing provincial agreements;

Therefore be it resolved that the Province of Ontario be requested to initiate a legislative change to amend the Ontario Labour Relations Act: Construction Section, exempting municipalities from certification in the industrial, commercial and institutional sector of the construction industry and automatic designation as an employer in the said sector.

Committee Recommendation: Recommended.

Conference Action:

EM-4

EXTENSION OF WORKERS' COMPENSATION BENEFITS FOR MUNICIPAL VOLUNTEER FIRE FIGHTERS (86-105-2)

From: Township of London

Whereas the Workers' Compensation Board makes available for purchase through local municipalities the provisions of compensation benefits for volunteer fire fighters; and

Whereas the Workers' Compensation Board has ruled that the stress of a fire call did not cause a heart attack, therefore, Captain Paul Craig of the Hamilton Township Fire Department was not entitled to Workers' Compensation benefits; and

Whereas the majority of the smaller and less populated municipalities provide fire protection using the volunteer fire fighters;

Now therefore be it resolved that the Minister of Labour and the Ontario Government be petitioned to immediately take steps to provide for Workers' Compensation benefits to be extended to cover heart problems associated with stress generated by fire calls and fire responses in order that the same will include volunteer firemen as well as full-time paid firemen.

Committee Recommendation: Not Recommended.

Section Comment

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

SECTION "A", Part I

EM-5

AMENDMENT TO THE SCHOOL BOARDS AND TEACHERS COLLECTIVE NEGOTIATIONS ACT TO PROVIDE FOR BINDING ARBITRATION WHEN CONTRACT DISPUTES CANNOT BE RESOLVED (86-070-1)

From: Town of Durham

Whereas the School Boards and Teachers Collective Negotiations Act, R.S.O. 1980, C.464, makes provision for strikes by teachers and lock-outs by school boards; and

Whereas the Education Act, R.S.O. 1980, C.129, S.20(1) makes compulsory the attendance in school of every child from the age of six years to the age of sixteen years; and

Whereas children throughout Ontario are, at various times, not in attendance at school because of teachers' strikes; and

Whereas the education of children is seriously jeopardized by lengthy teachers' strikes; and

Whereas certain classes of workers are considered to provide essential services, and are not permitted to strike, but are subject to binding arbitration;

Be it therefore resolved that the Province of Ontario be requested to amend the School Boards and Teachers Collective Negotiations Act to provide that where an agreement cannot be negotiated between a bargaining unit of a teachers' federation and a school board, the matter shall be resolved by binding arbitration, and that it shall be an offence for teachers to strike or walk out, or for a school board to lock them out.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Executive Committee: Not Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

EM-6

REQUEST TO CHANGE O.M.E.R.S. POLICY TO ALLOW CONTRIBUTIONS MADE TO AN "OMISSION PERIOD" TO BE EQUALLY SHARED BETWEEN THE EMPLOYER AND EMPLOYEE (86-145-2)

From: Town of Exeter

Whereas Exeter Council objects to the O.M.E.R.S. Board policy that in addition to employee and employer contributions that would have been made for an omission period, the employer (municipality) is responsible to pay to the O.M.E.R.S fund 100 percent of the interest;

Therefore be it resolved that the Association of Municipalities of Ontario suggests that these charges should be shared on a 50/50 basis with the employee.

Committee Recommendation: Recommended.

Supplementary Information: At the request of the Ontario Municipal Employees Retirement Board, we have been checking our payroll records to determine if there were any pre-1978 waiting periods or broken service periods that our members might wish to purchase. O.M.E.R.S classify these as omission periods and these can also be purchased. If an employee requests and pays his contribution, the municipality must pay a matching contribution as well as 100 percent of lost investment interest. This has accumulated since the omission period in the late 1960's and early 1970's to a sizable amount for these two employees.

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Not Recommended.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed as amended, the operative clause to read as follows:

> "Be it resolved that the O.M.E.R.S. Board be requested to amend the regulations to provide that the cost of payment of previous service benefits including interest, be shared 50/50 between employers and employees."

Conference Action:

SECTION "A", Part I

EM-7

EMPLOYER REFUND OF O.M.E.R.S. CONTRIBUTIONS (86-145-1)

From: Association of Ontario Boards of Health

Whereas Boards of Health are contributors to the Ontario Municipal Retirement System as employers; and

Whereas Boards of Health are subject to high employee turnover in nursing and other personnel; and

Whereas the employees are, in most cases, able to receive a refund of their contributions to the O.M.E.R.S. funds while the employer is not entitled to a refund of his matching contributions; and

Whereas the Board of Health for the Middlesex-London District Health Unit has identified this loss of revenue for the year 1982, 1983 and 1984 to be in excess of $77,000.; and

Whereas all Boards of Health could use these funds to offset the costs of other benefits, thereby reducing overall operating costs and reducing provincial and municipal levies; and

Whereas the February, 1985 O.M.E.R.S. Newsletter shows an actuarial surplus of $109,000,000. for 1984;

Now therefore be it resolved that the Ontario Municipal Employees Retirement System Board of Directors be asked to amend any applicable policies or request the amendment of any applicable legislation to allow for the return of employer matching funds whenever a refund of contributions is made to an employee.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Rural Executive Committee: Recommended.

Conference Action:

ENVIRONMENTAL CONTROL

EC-2

REQUEST TO EXEMPT MUNICIPALITIES FROM THE REGULATIONS OF THE ENVIRONMENTAL ASSESSMENT ACT AND TO PLACE UNDER THE PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT
(86-080-6)

From: Township of Kingston

Whereas provincial regulations make a major distinction between municipalities and private enterprise with respect to waste disposal sites and methods; and

Whereas such distinctions are governed by the Environmental Assessment Act and the Environmental Protection Act; and

Whereas the Environmental Assessment Act makes mandatory that municipalities must research not only all available methods and systems of waste disposal but must examine in detail any and all potential sites, and further such research and examination places an excessive financial burden on the municipal taxpayer; and

Whereas private enterprise need only conform to the regulations of the Environmental Protection Act, proving only a specific site and single method of disposal is environmentally safe; and

Whereas municipalities can spend one million dollars or more on consultants, hearings, etc. required by the Environmental Assessment Act without any guarantee that a site or method will be approved by the Minister of the Environment;

Now therefore be it resolved that the Provincial Cabinet be requested to exempt municipalities from the regulations of the Environmental Assessment Act and place all such municipalities under the provisions of the Environmental Protection Act that currently apply to the private sector.

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its Policy Guideline "EC-02", states in part as follows:

> "The Association supports the application of an environmental assessment process to those municipal undertakings which would adversely affect the environment. However, the Association accords its support on the basis that the procedures under an environmental assessment application do not lead to the creation of excessive delays in carrying out municipal projects or an un-

due increase in administrative and/or construction costs which would be borne by the municipal taxpayer ..."

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

EC-3

CAPITAL FUNDING ASSISTANCE FOR THE DEVELOPMENT OF NEW OR THE EXPANSION OF EXISTING SOLID WASTE DISPOSAL SITES
(86-080-4)

From: Federation of Northern Ontario Municipalities

Whereas the development of new solid waste disposal sites or the expansion of existing sites, which meet Environmental Assessment Act requirements, are very costly; and

Whereas no provincial funding assistance is available for any such site development; and

Whereas all such sites are available for and should be available for use by residents from unorganized territory, who are the responsibility of the province and which situation only occurs in northern Ontario;

Now therefore be it resolved that:

1. the Minister of Northern Development and Mines and the Minister of the Environment be requested to consider providing capital funding assistance for the development of new or the expansion of existing solid waste disposal sites in northern Ontario which meet Environmental Assessment Act regulations.

Committee Recommendation: Recommended as amended by deleting reference to "the Minister of Northern Development and Mines" and the word "northern" in the operative clause.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 83-17, "Response to the Blueprint for Waste Management" states in part as follows:

"That the provincial government provide capital and start-up funding for the purpose of implementing programs related to waste management."

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

EC-4

DEVELOPMENT OF A SITE IN THE TOWNSHIP OF WEST LINCOLN FOR AN INDUSTRIAL WASTE TREATMENT FACILITY (86-080-3)

From: Federation of Northern Ontario Municipalities

Whereas the Ontario Waste Management Corporation has informed and discussed with interested parties the development of a site for an industrial waste treatment facility in the Township of West Lincoln, which would handle wastes from all over Ontario;

Be it resolved that the Ministry of the Environment be apprised of the following concerns as to:

a) the method of transportation of said waste from northern Ontario communities;

b) the safety precautions to be taken to avoid a spill during transportation; and

c) the apportionment of cost of said transportation, especially in the case of remote areas, where concentration of said waste is low.

Committee Recommendation: Recommended as amended by replacing the word "northern" with "all remote" in operative clause (a) to read:

"a) the method of transportation of said waste from all remote Ontario communities;".

Section Comment

Northern Ontario Executive Committee: Recommended as amended with the deletion of the word "northern" in operative clause (a).

Conference Action:

EC-5

INTRODUCTION OF A REFUND PROGRAM ON RETURNED SOFT DRINK CANS (86-080-7)

From: Town of Walkerton

Be it resolved that the Ministry of the Environment of the Province of Ontario be requested to promptly introduce a refund on returned soft drink cans as has been effected in other provinces, as part of an effort to reduce litter of the parks, woods, waterfront and countryside in keeping with the tourism promotion campaign advertising the province as being "clean, safe, and nearby".

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 83-4: "Response to the Discussion Paper on Ontario Carbonated Soft Drink Container Regulations" recommends in part, as follows:

> "That the Ministry of the Environment and the Ministry of Consumer and Commercial Relations consider the use of a deposit system at the retail level as a means of recovering non-refillable containers for recycling."

Section Comment

Small Urban Executive Committee: Recommended.

Conference Action:

EC-6

REVISION TO THE FLOOD PLAIN POLICIES REGARDING DEFINITION OF FLOOD PLAIN BOUNDARIES FOR BUILT-UP AREAS (86-115-8)

From: Town of Walkerton

Be it resolved that the Ministry of Natural Resources of the Province of Ontario be urged to press on with revisions to flood plain policies changing the definition of flood plain boundaries for built-up areas from the regional storm line to the 100 year storm line so as to alleviate the present economic hardship in towns where it is impractical to construct dikes to the regional storm levels.

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 84-6: "Response to the Report of the Flood Plain Review Committee on Flood Plain Management in Ontario", recommends in part, as follows:

> "That the provincial government adopt the 100 year flood as the base criteria for the designation of flood plains and for the adoption of official plan policies related to land use within the flood plain."

Section Comment

Small Urban Executive Committee: Recommended.

Conference Action:

FINANCE

FIN-2

AMENDMENT TO LEGISLATION TO CHANGE THE FISCAL YEAR OF MUNICIPALITIES (86-061-2)

From: County of Bruce

Whereas the fiscal year for municipalities is presently the calendar year, i.e. from January 1st to December 31st; and

Whereas municipal elections now take place in November with councillors taking office shortly thereafter; and

Whereas during the month of December, councils must work within the budget of the previous council; and

Whereas winter control costs for December are difficult to estimate for the previous March budget; and

Whereas the costs for each winter season are divided and charged to two different fiscal years;

Therefore be it resolved that the provincial government be requested to amend legislation so that the fiscal year for municipalities is from December 1st to November 30th.

Committee Recommendation: Not Recommended.

SECTION "A", Part I

Section Comment

County and Regional Executive Committee: Not Recommended. Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Not Recommended.

Conference Action:

FIN-3

AMENDMENT TO THE RETAIL SALES TAX ACT TO EXEMPT MUNICIPAL GOVERNMENTS FROM ALL PROVINCIAL SALES TAX (86-125-6)

From: City of Windsor

Whereas the provincial government, over the past twenty years has deliberately, or otherwise, followed a policy of progressive increases in sales tax collections from municipal governments; and

Whereas from about 1960 when provincial retail sales taxes were introduced until 1982, a gradual reduction in the number of items exempt from provincial sales tax took place and in 1982 the City of Windsor was contributing to the provincial coffers, the sum of $1,120,000. in such tax; and

Whereas in 1982 the provincial government amended the Retail Sales Tax Act to remove a long list of additional items from the tax exempt group including such things as playground equipment, traffic signal equipment, shrubbery and road repair supplies and equipment, which thereby increased Windsor's payment of sales tax to the Province to approximately $2,200,000.; and

Whereas the action of the provincial government in increasing (in most cases inadequately) resource equalization, general support and per capita grants is simply a process of returning to municipalities a portion of the tax funds drained from such sources; and

Whereas the provincial process of collecting sales tax from municipalities simply shifts the burden of taxation to the real property tax which is an inequitable and overburdened and regressive tax because it impacts so severely on persons of fixed or limited income; and

Whereas in addition to the sales tax collected by the provincial government from the municipal government there is an equal amount of tax collected from boards of education and utilities commissions thereby doubling the amount of tax collected from local taxpayers;

Therefore be it resolved that until such time as the senior governments pay full municipal taxes, the present provincial government be

requested to reverse the trend of previous governments to enact amendments to the Retail Sales Tax Act to exempt municipal governments, boards of education and utilities commissions from all provincial sales taxes.

Committee Recommendation: Not Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended as follows:

i) deletion of the second and third introductory clauses;

i) the operative clause to read:

"Therefore be it resolved that until such time as the senior governments pay full municipal taxes, that the provincial and federal governments be requested to reverse the trend of previous governments to enact amendments to the Retail Sales Tax Act and Excise Tax Act to exempt municipal governments, boards of education, and utilities commissions from all provincial and federal sales tax."

Rural Executive Committee: Recommended.

Small Urban Executive Committee: Recommended.

Conference Action:

FIN-4

TRANSPORTATION OF PRISONERS (86-055-1)

From: Federation of Northern Ontario Municipalities

Whereas the introduction of the Young Offenders Act has further compounded the cost of transporting prisoners to district jails, detention centres and similar facilities; and

Whereas it has resulted in a reduction of police officers who are available for regular duty in the municipality; and

Whereas in many cases it involves more than one cruiser thereby reducing the response by the force to any other occurrence; and

Whereas these costs have now reached a level which municipalities and taxpayers can no longer afford;

Now therefore be it resolved that the Province of Ontario:

1. reimburse police forces for their actual cost of transportation; and/or

2. provide an escort service; and/or

3. provide closer detention centres for the young offenders.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

FIN-5

COMPENSATION TO MUNICIPALITIES FOR COSTS INCURRED FOR DRAINAGE WORKS ON INDIAN RESERVE LANDS (86-030-8)

From: Township of Orford

Whereas from time to time work is required on municipal drains which affect both the local municipality and a neighbouring Indian Reserve; and

Whereas the Ontario Drainage Act does not apply to Reserve Lands, nor even recognize their existence; and

Whereas the federal government does not authorize an Indian Band to use any of its allocations for drainage purposes, thus making negotiations on municipal drains difficult, as the local council must recognize that the Band Council can neither be bound by, nor benefit from the Ontario Drainage Act; and

Whereas the Council of the Township of Orford is aware that this is not merely a local problem, but one that has the potential to affect all municipalities which border on an Indian Reserve;

Therefore be it resolved that the Association of Municipalities of Ontario petition the federal and provincial governments on behalf of

all those municipalities affected by this problem, to find a viable solution.

Committee Recommendation: Recommended.

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

FIN-6

REQUEST TO PROVIDE FINANCIAL ASSISTANCE TO SMALL MUNICIPALITIES FOR THE PURCHASE OF FIRE PROTECTION EQUIPMENT (86-130-3)

From: Federation of Northern Ontario Municipalities

Be it resolved that recognizing that all municipalities do not have the financial base necessary to purchase modern equipment, that the Government of Ontario should provide direct financial assistance to small municipalities for the purchase of fire protection equipment.

Committee Recommendation: Not Recommended.

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

FIN-7

ASSISTANCE FOR FIRE PROTECTION SERVICES TO MUNICIPALITIES WITH A POPULATION OF LESS THAN 5,000 (86-130-3A)

From: Northwestern Ontario Municipal Association

Whereas it is encumbant upon municipalities to provide for the safety and welfare of its inhabitants; and

Whereas fire protection is an essential service for the safety of those inhabitants; and

Whereas many small municipalities do not qualify for assistance from the Ministry of Northern Development and Mines for fire protection equipment as do the unorganized territories;

Now therefore be it resolved that the Province of Ontario be petitioned to supply financial assistance to municipalities with a population of fewer than 5,000 for the provision of fire equipment service.

Committee Recommendation: Not Recommended.

Conference Action:

FIN-8

ADDITIONAL FUNDING TO MUNICIPAL FIRE DEPARTMENTS DUE TO DIVERSIFICATION OF SERVICES (86-130-2)

From: Village of Omemee

Whereas the cost of supplying fire departments with equipment and proper training is causing a heavy burden on taxpayers; and

Whereas the burden increases substantially for those municipalities where major highways, provincial parks, private parks, navigable waters and air travel are under their jurisdiction because there is a higher chance of more accidents involving people rather than ratepayers;

Therefore be it resolved:

1. that municipalities with volunteer fire departments who have diversified their services to include CPR, First Aid, auto extrication and traffic control be funded for these additional services; and

2. that the Ministry of Health be petitioned to consider additional funding for these municipalities.

Committee Recommendation: Not Recommended.

Section Comment

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed as amended with the deletion of the word "volunteer" before "fire" in the first line of operative clause (1).

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Conference Action:

FIN-9

FINANCIAL ASSISTANCE TO MUNICIPALITIES OPERATING A VOLUNTEER AMBULANCE SERVICE (86-090-4)

From: Northwestern Ontario Municipal Association

Whereas smaller municipalities rely on volunteers to operate their ambulance services; and

Whereas due to the nature and responsibility of the work involved, some municipalities are finding it increasingly difficult to find volunteers for the ambulance service; and

Whereas at times, due to the lack of volunteers, these services are left unprotected; and

Whereas to staff the volunteer service with full-time personnel would cause an undue tax burden on the ratepayers of the municipality; and

Whereas this service should be provided by the Ministry of Health;

Therefore be it resolved that the Ministry of Health immediately release funding to municipalities that operate a volunteer ambulance service in order to aid the municipality in the hiring of full-time ambulance attendants.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

FIN-10

ELECTRONIC TRANSFER PAYMENTS (86-045-37)

From: Regional Municipality of Haldimand-Norfolk

SECTION "A", Part I

Whereas municipalities in Ontario have recognized that the days lost while grant and subsidy cheques are forwarded by mail, results in a loss of many thousands of dollars in interest while these cheques are in transit before they can be deposited; and

Whereas this has been recognized by the Ministries of Municipal Affairs, Transportation and Communications and Health, who are now directing their grants and subsidies to municipalities by electronic transfer; and

Whereas the Ministry of Community and Social Services which provides large amounts of subsidies for expenditures for Homes for the Aged, Income Maintenance and other purposes, continues to forward their cheques to municipalities by mail;

Therefore be it resolved that representation be made to the Minister of Community and Social Services requesting that subsidies be transferred by electronic transfer.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Recommended.

Conference Action:

FIN-11

REQUEST TO DELETE THE PERPETUAL CARE RESERVE FUNDS TO RELEASE FUNDS FOR MUNICIPALLY OWNED CEMETARY EXPANSION AND IMPROVEMENTS (86-050-7)

From: Federation of Northern Ontario Municipalities

Be it resolved that the Association of Municipalities of Ontario request of the Minister of Consumer and Commercial Relations permission to delete the Perpetual Care Reserve Fund to release the funds for cemetary expansion and improvements with respect to cemetaries owned by municipalities; and

Be it further requested that the fund be replaced with a letter of credit or bond which could be used in an extraordinary circumstance.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

FIN-12

REVIEW OF GRANTS PROVIDED TO MUNICIPAL GOVERNMENTS FOR RECREATIONAL PROGRAMS (86-135-1)

From: Northwestern Ontario Municipal Association

Whereas the Ministry of Tourism and Recreation provides grants to municipalities for recreation programs; and

Whereas the amount of these grants are tied to population; and

Whereas the amount of these grants does not reflect the real growth of recreation programs and their importance;

Therefore be it resolved that the Ministry of Tourism and Recreation immediately undertake a study of these grants with a view to making them more indicative of the budgets they are intended to supplement.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

FIN-13

REQUEST THAT MUNICIPAL GOVERNMENTS BECOME SECURED CREDITORS UNDER THE BANKRUPTCY ACT (86-155-17)

SECTION "A", Part I

From: City of Burlington/Association of Municipal Tax Collectors of Ontario

Whereas the bankruptcy legislation currently allows municipalities to have priority for business taxes; and

Whereas the said legislation is currently being redrafted;

Therefore be it resolved that the Government of Canada be made aware that municipalities wish to protect and expand their priority in bankruptcies; and

Further that municipal governments be provided the same priority in receiverships and bankruptcies as afforded provincial and federal governments; and

Further that such priority in bankruptcy be that of a secured creditor; and

Further that such status shall apply to all services provided by the municipality and not be limited to business taxes.

Committee Recommendation: Recommended.

Supplementary Information: The Special Advisory Committee on Bankruptcy appointed by the Federal Minister of Consumer and Corporate Affairs has released its report.

Apparently, the municipal sector has again not been successful in having its status elevated in regard to its priority in bankruptcy.

Under the Bankruptcy Act, there are three types of creditors. In order of priority (those who are paid first) they are:

1) Secured Creditor - this is someone whose debt is secured by a pledge of property. This could be a mortgage, chattel mortgage on assets, or similar demonstrable lien.

2) Preferred Creditor - a preferred creditor is someone who has provided a service to the bankrupt such as a landlord, employee, federal government taxes, provincial taxes.

3) Unsecured Creditor - these creditors are those who do not provide a demonstrated service to the bankrupt. This is the classification to which business tax has been included.

It has been our experience that the claims of the secured creditors and a substantial portion of those applicable to the preferred creditors have been paid. Unfortunately, those relating to the unsecured creditors, such as the City, receive no funds.

As we are aware, municipalities provide the services such as roads, sewers and water, that allow businesses to operate and yet the local government is an unsecured creditor and seldom, if ever, receives satisfaction for its services. The federal and provincial governments however, receive preferred status and, as such, obtain funds from the bankrupt.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as follows:

> "Be it resolved that the municipal governments be provided the same priority in receiverships and bankruptcies as afforded provincial and federal governments; and
>
> Further that such priority in bankruptcy be that of a secured creditor for property and business taxes."

Small Urban Executive Committee: Recommended.

Conference Action:

FIN-14

REQUIREMENT OF A JOINT COMMITTEE OF MUNICIPAL COUNCILLORS AND EDUCATION TRUSTEES TO HOLD PUBLIC MEETINGS PRIOR TO FINALIZATION OF THEIR ANNUAL BUDGET (86-070-9)

From: City of Brockville

Whereas many Ontario municipal councils have implemented budgetary restraints similar to those required of private industry having regard to national and local economic indicators consistent with the Consumer Price Index; and

Whereas many Ontario boards of education apparently adopt annual budgets and requisition municipalities to levy rates inconsistent with national and local economic considerations; and

Whereas neither the Municipal Act nor the Education Act requires or provides for a vehicle where councillors and trustees can exchange dialogue during the budget process to consider the financial impact of their budgets on their respective ratepayers;

Be it resolved that the Government of Ontario be petitioned to enact legislation that requires a joint committee of municipal councillors and education trustees to hold meetings prior to the finalization of their annual budget for a thorough exchange of information and priority

setting to include, if necessary, the requirement to produce a set of general budget guidelines.

Committee Recommendation: Not Recommended.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

FIN-15

REQUEST TO IMPLEMENT NEW FUNDING SOURCES FOR BOARDS OF EDUCATION AND REPRESENTATION ON BOARDS OF EDUCATION (86-070-7)

From: Town of Hanover

Whereas all municipalities are experiencing difficulties in recent years with a continued increase in mill rates to local ratepayers; and

Whereas there have been dramatic increases in mill rates and taxes to the local ratepayers, directly due to school board education levies; and

Whereas as a result, municipalities have to continually restrain and cut back on local services to the ratepayer, in order to keep mill rates and taxes to a moderate increase councils feel the inhabitants could bear the cost of; and

Whereas municipalities in Ontario levy over 50 percent of the tax dollar for education costs with very little representation versus, the size of local municipal councils, to levy for whatever may be left for local purposes;

Therefore be it resolved that the provincial government be petitioned through A.M.O. to:

1) Study, report and implement a new legislative manner to fund boards of education to help bear more cost and ease the burden on local municipalities, so that local elected councils may be able to help service the many local demands by local rateypayers, who elected them, as their representatives.

2) Amend the election process and all relevant Provincial Acts, to have a more equal and fair representations on boards of education compared to local municipalities in comparison to tax levied dollars.

Committee Recommendation: Recommended as amended, the operative clause to read:

"Therefore be it resolved that the provincial government be petitioned through the Association of Municipalities of Ontario to:

1) Study, report and implement a new legislative manner to fund boards of education to have the Province of Ontario bear more cost and ease the burden ..." (See also resolution "FIN-21", Section "B".)

2) Amend the election process and all relevant Provincial Acts, to have a more equal and fair representations on boards of education." (See also resolution "E-2", Section "A", and "E-4", Section "B" on the issue of "trustee representation on Boards of Education".)

Supplementary Information: The Association of Municipalities of Ontario in its Policy Guideline "E-02" states in part as follows:

"Since the benefits of a good educational system are not directly related to property, but extend throughout the community, the province, and the nation,, educational costs should be financed from forms of tax revenue other than the property tax."

See also AMO Report 86-9: "Response to the Report of the Commission on Financing of Elementary and Secondary Education in Ontario".

Conference Action:

FIN-16

LEVY AND COLLECTION OF SCHOOL TAXES (86-070-5)

From: Northwestern Ontario Municipal Association

Whereas the Education Acts requires a municipal council to levy and collect taxes upon all the property rateable for school purposes; and

Whereas the municipal council is required to forward the full amount levied whether that amount is collected, or not; and

Whereas the requirement to pay the full levy, whether collected or not, creates financial difficulties for municipalities in that they must utilize their reserves or to borrow to meet the final installment for school purposes;

Therefore be it resolved that the Education Acts be amended to read:

SECTION "A", Part I

"The council of each municipality in a school division in each year shall pay to the divisional board the amounts required to be raised by the municipality for school purposes in the following installments:

1. 25 percent of such amounts on the 31st day of March;

2. 25 percent of such amounts on the 30th day of June;

3. 25 percent of such amounts on the 30th day of September;

4. the balance of such amounts actually collected on the 15th day of December with further payments to be made on the 31st day of December and on subsequent due dates in the following year(s) until the remaining 25 percent is paid in full after having been collected by the municipality;

and in cases of non-payment of any of the first three quarterly installments or any portion thereof on such dates the municipality so in default shall pay to the board interest thereon from the date of default to the date that the payment is made at the minimum lending rate of the majority of chartered banks on the day of default and where, with the consent of the board, such installment or any portion thereof are paid in advance of such dates, the board shall allow to the municipality a discount thereon from the date of payment to the date upon which the payment is due at the minimum lending rate of the majority of chartered banks on the date of payment."

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Not Recommended.

Conference Action:

FIN-17

COLLECTION OF SCHOOL BOARD TAXES (86-070-6)

From: Town of Valley East

Whereas the local municipal councils have no direct input or control in school board budgets and approximately one-half of total taxes collected by municipalities are apportioned to the school boards; and

Whereas the local politicians have to answer the concerns of the taxpayers as to the increase of the school board taxes without knowledge as to how the said taxes were arrived at;

Therefore be it resolved that the provincial government be petitioned to review its present policy of having the local municipalities responsible for the collection of school board taxes and request that the school board taxes be collected by other means.

Committee Recommendation: Not Recommended.

Supplementary Information: The Association of Municipalities of Ontario is presently engaged in a negotiation process with the Association of Large School Boards in Ontario, in association with the Ontario School Trustees Council, with a view toward reaching a provincially applicable resolution to this issue.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

HEALTH AND SOCIAL SERVICES

HSS-4

FUNDING OF "WELFARE ASSISTANCE" (85-045-3)

From: AMO Large Urban Section of AMO, as deferred from the 1985 AMO Annual Conference

Whereas the Province of Ontario and the municipalities are jointly responsible for the administration of welfare assistance; and

Whereas such assistance if financed on the following basis: federal government - 50 percent; provincial government - 30 percent; municipalities - 20 percent; and

Whereas the municipalities must pay 50 percent of the cost of "administration" and "special assistance"; and

Whereas, due mainly to economic conditions, the costs of welfare assistance continues to escalate; and

Whereas the economy is dependant on policies of the federal and provincial governments; and

Whereas the provincial Ministry of Community and Social Services is the agency responsible for the establishment of regulations regarding welfare assistance; and

Whereas these regulations are such that municipalities are able to exercise very little control or discretion even though they must contribute almost half of the provincial-municipal cost of welfare assistance; and

Whereas "property tax" has remained the only revenue raising source for local municipalities while federal/provincial revenue sources have expanded to include sales tax, income tax, gasoline tax, and the new Ontario "Social Services Maintenance Tax"; and

Whereas there have been numerous concerns and requests made from municipal councils to the Ministry of Community and Social Services regarding:

a) financing problems;
b) allowing the municipalities to exercise more control and discretion;
c) consultation with the municipalities regarding forced changes, benefit increases, etcetera;

Now therefore be it resolved that the Minister of Community and Social Services be respectfully requested to:

enact legislation to provide that the Province of Ontario assumes all responsibility for welfare assistance.

Committee Recommendation: Not Recommended. The Committee recommends reaffirmation of the AMO resolution "HSS-1: Funding of General Welfare Assistance" as adopted by the 1983 AMO Annual Conference, the operative clauses which read:

"Therefore be it resolved that the provincial government and AMO develop a process to review the funding formulae and administration costs for social assistance programs, and until such time as this is carried out:

1. That the federal and provincial governments share mandatory program costs for welfare assistance at the rate of 100 percent; and

2. That the provincial government increase its share for all permissive program costs under the General Welfare Assistance Act; the municipal share not to exceed twenty per cent of the total of such permissive program costs; and

3. That the provincial government increase its share for all administration costs under the General Welfare Assistance Act; the municipal share not to exceed twenty percent of the total of such costs, and the administration costs encompass all

operating costs, including rent, telephone, purchase of service and financing costs."

Section Comment

County and Regional Executive Committee: Not Recommended.

Rural Executive Committee: Recommended.

Conference Action:

HSS-5

REQUEST THAT A CEILING BE IMPLEMENTED WITH RESPECT TO WELFARE ADMINISTRATION BOARDS' REQUISITION FOR FUNDS (86-045-35)

From: Township of the Archipelago

Whereas the 1986 requisition for funds by the District of Parry Sound Welfare Administration has increased by 24.7 percent over 1985; and

Whereas it is agreed that contemporary social concerns indicate a need to provide new and expanded social services; and

Whereas some new and expanded services are required due to statutory or other requirement of certain Ministries;

Now therefore be it resolved that the Welfare Administration Boards be informed that, notwithstanding obvious social needs, there are limits to the tolerance of taxpayers to fund these activities; and

Further that the Welfare Administration Boards go on record with the affected Ministries of the inappropriateness of expanding services at the expense of municipalities that can have no control over these expenditures; and

Further that expanding programs, in future years, be governed by a maximum of inflation plus two percent escalation in levy.

Committee Recommendation: Not Recommended.

Conference Action:

HSS-6

ACCOUNTABILITY OF CHILDREN'S AID SOCIETIES (86-045-7)

From: City of Sarnia

Be it resolved that the Association express its concern about the lack of local political accountability within Children's Aid Societies; and

Further that the provincial government be urged to make Children's Aid Societies more accountable to local government or alternatively, to accept full responsibility, including 100 percent funding, for these Societies.

Committee Recommendation: Recommended as amended with the deletion of the following clause:

"or alternatively, to accept full responsibility including 100 percent funding for these Societies" in the second operative clause."

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended, the second operative clause to read:

"Further that the provincial government be urged to make Children's Aid Societies more accountable to local government."

Conference Action:

HSS-7

SUPPORT OF PROVINCIAL GOVERNMENT'S EFFORTS TO ENHANCE EMPLOYMENT PROGRAMS (86-045-30)

From: Ontario Municipal Social Services Association

Whereas the Association of Municipalities of Ontario (A.M.O.) is aware of growing support for a concept of work for welfare, in the general community; and

Whereas it is the opinion of A.M.O. that employment and employment readiness programs are more constructive answers to the problems of employable persons on public assistance;

Therefore be it resolved that A.M.O. support the provincial government's efforts to enhance employment capabilities through a range of employment programs such as E.O.P., Work Activity, Employment Support Initiatives, upgrading and training.

Committee Recommendation: Recommended.

Conference Action:

HSS-8

AMENDMENT TO THE GENERAL WELFARE ASSISTANCE ACT TO ALLOW RECIPIENTS TO WORK FOR MUNICIPALITIES AND/OR SENIOR CITIZENS IN ORDER TO COLLECT WELFARE PAYMENTS (86-045-2)

From: County of Essex

Whereas the welfare system was set up to help those in emergency situations and temporary hardship; and

Whereas it has evolved into a system that discourages people to work and keeps them on welfare for generations; and

Whereas if a person is encouraged to work for welfare, it would motivate him to make a more sincere effort to find a job; and

Whereas municipalities have work to be done, but cannot afford to pay high wages for jobs, such as cutting weeds and brushing drains which would extend the life of drains by 50 percent, thus resulting in savings to farmers who cannot afford the high cost of cleaning drains, and also cities, towns and the elderly could benefit in other situations;

Therefore be it resolved that the provincial government be petitioned to change the General Welfare Assistance Act to allow for recipients of welfare payments to work for municipalities and/or senior citizens in order to collect welfare payments and to be allowed a bonus amount over that pay allowed under existing schedules and that certain benefits not be lost to them.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Large Urban Executive Committee: Not Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

HSS-9

APPOINTMENT OF A TASK FORCE TO STUDY THE INADEQUACIES OF THE PRESENT WELFARE SYSTEM (86-045-9)

From: Federation of Northern Ontario Municipalities

Whereas we have been requested by the County of Essex to endorse their resolution to provide certain changes to the General Welfare Assistance Act; and

Whereas we are of the opinion that to force welfare recipients to work for municipalities or others, with emphasis on make work program, would not provide a viable solution to an already inadequate welfare system;

Therefore be it resolved that the Province of Ontario be petitioned to appoint a task force to study specifically the inadequacies of the present welfare system and recommend changes to provide meaningful employment opportunities for recipients as an alternative to welfare. The opportunities could be identified as meaningful jobs, re-training, upgrading, etc.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

HSS-10

REQUEST TO CONTINUE TO OFFER FUNDING TO MUNICIPALITIES FOR PROVINCIAL WORK ACTIVITY PROJECTS (86-045-31)

From: Ontario Municipal Social Services Association

Whereas Work Activity Programs have demonstrated positive client outcomes, as indicated in the provincial review; and

Whereas Work Activity Programs provide funding formulae and flexibility in meeting client needs which are advantageous to municipalities;

Therefore be it resolved that the province be urged to continue to offer funding to municipalities for Work Activity Programs, under C.A.P., Part III.

Committee Recommendation: Recommended.

Conference Action:

HSS-11

REQUEST TO PROVIDE EQUITABLE FUNDING TO DEVELOP EMPLOYMENT PROGRAMS FOR PEOPLE REGARDLESS OF AGE (86-045-32)

From: Ontario Municipal Social Services Association

Whereas economic changes presently being experienced in Ontario affect people of all ages;

Therefore be it resolved that the Government of Ontario be petitioned to provide equitable funding to develop employment programs for people regardless of age, residing in Ontario.

Committee Recommendation: Recommended.

Conference Action:

HSS-12

MUNICIPAL MEMBERSHIP ON MINISTRY REVIEW TEAMS UNDERTAKING AN OPERATIONAL REVIEW OF A MUNICIPAL SERVICE DELIVERY SYSTEM (86-045-29)

From: Ontario Municipal Social Services Association

Whereas the Ministry of Community and Social Services has developed a generic protocol governing the operation review of human service delivery systems; and

Whereas this generic protocol can be customized to specifically meet the operational review requirements of Homes for the Aged and Day Care Service Delivery Systems; and

Whereas several operational reviews have been done, to date, by the Ministry on services within the delivery purview of municipalities (i.e. Grey-Owen Sound Social Services Operational Review and Ottawa-Carleton Day Care Operational Review);

(a) the Ministry share with municipalities, through the Association of Municipalities of Ontario (AMO) the generic and specific protocols used for these reviews; and

(b) the Ministry, at a future fall training session, be invited to describe and discuss with A.M.O. membership, the process and protocol for such reviews; and

(c) A.M.O. monitor and ensure that the Ministry has included adequate municipal representation on any such review team which will undertake an operational review of a municipal services delivery system to assure a full and fair appreciation of the municipal perspective in any recommendations arising from such a review; and

(d) the Ministry make adequate provision to finance the participation of any such municipal participation on an Operational Review Team.

Committee Recommendation: Recommended.

Conference Action:

HSS-13

REVIEW OF G.W.A. AND F.B.A. RATES (86-045-19)

From: Ontario Municipal Social Services Association

Whereas the General Welfare Assistance Rate Schedule and the Family Benefits Assistance Rate Schedule have a substantial difference between the two types of welfare systems; and

Whereas the living costs for a General Welfare Assistance recipient and Family Benefits Assistance recipient (i.e. single head family) are the same; and

Whereas it has been shown that living costs are similar for General Welfare Assistance and Family Benefits Assistance recipients, and that in general, both rates are not meeting the client's basic needs;

Therefore be it resolved that both rates be reviewed with the intent of establishing a social assistance rate that will better reflect and meet basic needs.

Committee Recommendation:

Conference Action:

HSS-14

REQUEST TO INCREASE THE PROVINCIAL FUNDING SHARE FOR PARENTAL SUPPORT WORKER PROGRAM (86-045-5)

From: City of Sarnia

Be it resolved that efforts to obtain increased provincial funding for the Municipal Parental Support Worker Program be continued; an 80 percent - 20 percent cost-sharing would seem more equitable.

Committee Recommendation: Recommended.

Conference Action:

HSS-15

INTRODUCTION OF A SINGLE PIECE OF LEGISLATION FOR INCOME MAINTENANCE TO PROVIDE FOR OVERPAYMENTS RECOVERY (86-045-12)

From: Ontario Municipal Social Services Association

Whereas presently, General Welfare recipients periodically incur overpayments; and

Whereas overpayments can be calculated and subsequently, the recipient of General Welfare Assistance may be granted an allowance under Family Benefits; and

Whereas there may be an outstanding overpayment balance owing to the municipality; and

Whereas there should be some method of collecting those overpayments; and

SECTION "A", Part I

Whereas the provincial government has advised that the collection of overpayments under two separate Acts is not possible:

Therefore be it resolved that the Province of Ontario be petitioned to introduce a singe Act for Income Maintenance, and that that piece of legislation provide for the calculation and collection of overpayments under any part of that Act.

Committee Recommendation: Recommended.

Conference Action:

HSS-16

REQUEST TO REVIEW THE ADEQUACY OF GENERAL WELFARE ASSISTANCE RATES IN RELATION TO HOUSING COSTS IN ONTARIO (86-045-1)

From: City of Brockville

Whereas the General Welfare Assistance rates are inadequate in view of increasing housing costs; and

Whereas the annual across the board increases to General Welfare Assistance rates have not been adequate to meet rent demands resulting in the need for private sector food depots; and

Whereas the demand on private sector food depots has caused them to request public funding; and

Whereas payments for first and last months rent are cost-shared only 50/50 with the province under Special Assistance;

Be it resolved that:

The Province of Ontario and specifically the Ministry of Community and Social Services review the adequacy of the General Welfare Assistance rates in relation to housing costs in Ontario; and

That funding of private sector food depots be accepted as a responsibility of provincial and federal governments; and

That payments for first and last months' rent be made under General Assistance at a cost sharing of 80/20 percent.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended with the deletion of the second operative clause.

Conference Action:

HSS-17

REQUEST TO INCREASE THE BASIC NEEDS ALLOWANCE FOR SINGLES (86-045-11)

From: Ontario Municipal Social Services Association

Whereas the Province of Ontario provided increases in General Welfare Assistance and the Family Benefits effective January 1, 1986; and

Whereas it is the province's policy to set different basic needs rates for employable and unemployable singles; and

Whereas it is the province's policy not to set different "Basic Needs Allowances" for employable and unemployable heads of families; and

Whereas the Human Rights Code prevents the discrimination based on marital status;

Therefore be it resolved that the Province of Ontario be petitioned to increase the Basic Needs Allowance for all singles to the unemployable rate and to eliminate the distinction.

Committee Recommendation: Recommended.

Conference Action:

HSS-18

REQUEST TO INCREASE EARNINGS EXEMPTIONS FOR RECIPIENTS OF GENERAL WELFARE ASSISTANCE (86-045-3)

From: County of Brant

Whereas over fifty percent of our active General Assistance caseload is made up of employable clients; and

Whereas over forty percent of those clients who have been in receipt of General Assistance for a period of more than thirteen months are employable; and

Whereas employable clients should be afforded every possible incentive to secure part-time employment as a stepping stone to full-time employment; and

Whereas the current earnings exemptions have not changed in the past ten years and have not kept pace with the decreased purchasing power of the dollar; and

Whereas clients who work part-time have employment-related expenses as well as mandatory deductions (CPP, income tax and U.I.C.) from their earnings which decrease the value of their earning exemptions;

Now therefore be it resolved that the Ministry of Community and Social Services be petitioned to increase earnings exemptions for recipients of General Welfare Assistance, both the base level and the percentage, to an amount that allows clients to keep sufficient monies from earnings to be an incentive to seek and keep part-time employment.

Committee Recommendation: Recommended as amended as follows:

a) deletion of the first two introductory clauses; and

b) addition of the following enacting clause:

"And furthermore that when undertaking same, the Ministry take steps to rationalize the existing discrepancies between earnings exemptions under the GWA legislation and earnings exemptions under the FBA legislation."

Section Comment

County and Regional Executive Committee: Recommended as being proposed by the AMO Legislative and Resolutions Committee. Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HSS-19

CASHING OF AN ASSET CONTINUE TO BE CONSIDERED AN ASSET AND NOT "INCOME" FOR THE PURPOSE OF ELIGIBILITY FOR RECEIPT OF GENERAL WELFARE ASSISTANCE (86-045-13)

From: Ontario Municipal Social Services Association

Whereas the Ministry of Community and Social Services Act and the General Welfare Assistance Act consider the cash savings and other purchased assets, such as R.R.S.P.'s or Savings Bonds, as "assets"; and

Whereas these assets, to a fixed limit, are allowed to be held by a client without affecting his/her entitlement to receipt of social assistance; and

Whereas cash savings held in a bank account are considered an "asset" for purposes of eligibility, while the cashing of a Savings Bond, R.R.S.P., or other such held asset is not considered as an asset but rather as "income" in the month in which it is cashed;

Therefore be it resolved that, up to the limit established for "assets" by the legislation, the cashing of a held asset be considered an "asset" and not "income" for the purpose of establishing eligibility or ongoing eligibility for receipt of assistance.

Committee Recommendation: Not Recommended.

Conference Action:

HSS-20

COST SHARING OF CLOTHING ALLOWANCES FOR G.W.A. RECIPIENTS (86-045-17)

From: Ontario Municipal Social Services Association

Whereas the Ministry of Community and Social Services provides a "back-to-school" clothing allowance to dependent children of Family Benefit recipients; and

Whereas the Ministry of Community and Social Services provides a winter clothing allowance to dependent children of F.B.A. recipients; and

Whereas municipalities providing a back-to-school clothing allowance receive cost-sharing from the Ministry of Community and Social Services on a 50/50 basis only; and

Whereas the Ministry of Community and Social Services does not subsidize a clothing allowance for dependent children on G.W.A. recipients;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to fund back-to-school and winter clothing allowances for dependent children of G.W.A. recipients on a 80/20 percentage basis.

Committee Recommendation: Recommended.

Conference Action:

HSS-21

REQUEST TO EXPAND THE AREA OF QUALIFICATION FOR "DRUG BENEFIT ELIGIBILITY CARE" (86-045-33)

From: Ontario Municipal Social Services Association

Whereas the Ministry of Community and Social Services, in co-operation with the Ministry of Health, provides prescription drugs through the Drug Benefit Formulary to recipients of Family Benefits and General Welfare Assistance in Ontario; and

Whereas municipalities within Ontario may, through a cost-sharing arrangement, provide prescription drugs to "needs-tested" recipients of other government or private programs or to low-income families;

Therefore be it resolved that the Ministry of Community and Social Services be requested to expand the area of qualification for Drug Benefit Eligibility Care to all "needs-tested" recipients to include all eligible persons in receipt of other pensions and allowances, as well as low-income families now eligible under "Special Assistance".

Committee Recommendation: Recommended.

Conference Action:

HSS-22

INFANT FORMULAE TO BE CONSIDERED AS A SPECIAL DIET FUNDED UNDER G.W.A. AND F.B.A. (86-045-20)

From: Ontario Municipal Social Services Association

Whereas milk and, to an apparently ever-increasing degree, milk substitutes - formulae, are a necessary item purchased by families to provide adequate nutrition for infant children; and

Whereas the cost of infant formulae has escalated and is now consuming too substantial a portion of the basic needs increase for an additional child; and

Whereas there is no provision for extra funds to defray the excess cost of this item;

Therefore be it resolved that the cost of Enfalac, Similac, S.M.A. and like formulae, when recommended by a physician, be considered as a special diet and funded under the General Welfare Assistance Act and the Family Benefits Act as such.

Committee Recommendation: Recommended.

Conference Action:

HSS-23

REQUEST FOR THE PROVINCIAL GOVERNMENT TO PROVIDE 100 PERCENT FUNDING FOR BLOOD TESTS IN DISPUTED PATERNITY MATTERS (86-045-18)

From: Ontario Municipal Social Services Association

Whereas applicants/recipients of General Welfare Assistance are required to seek support to which they may be entitled; and

Whereas the application for support may be impeded due to lack of funds for blood tests; and

Whereas the determination of paternity is in the best interests of the child financially;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to provide 100 percent funding to the municipalities for the purpose of settling disputed paternity issues.

Committee Recommendation: Not Recommended.

Conference Action:

HSS-24

REQUEST FOR THE PROVINCIAL GOVERNMENT TO ASSUME TOTAL RESPONSIBILITY OF DENTAL SERVICES COVERAGE FOR F.B.A. RECIPIENTS (86-045-21)

From: Ontario Municipal Social Services Association

SECTION "A", Part I

Whereas the Ministry of Community and Social Services provides F.B.A. recipients with dental coverage for emergency fillings and extractions; and

Whereas the Ministry of Community and Social Services does not provide dentures and other dental services for F.B.A. recipients, i.e., root canals, cleaning for mentally retarded, etc.; and

Whereas F.B.A. recipients requiring dental services other than emergency fillings and extractions are referred to the municipality for supplementary aid; and

Whereas the necessity to make contact to two separate agencies for dental services creates confusion on the part of the F.B.A. recipient and administrative duplication on the part of the municipality;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to assume the total responsibility of dental services for its F.B.A. recipients.

Committee Recommendation: Recommended as amended by adding the word "essential" before the word "dental" in the second line of the operative clause.

Conference Action:

HSS-25

REQUEST TO DISPENSE WITH THE WAITING PERIOD FOR FAMILY BENEFITS ALLOWANCE BY SOLE-SUPPORT PERSONS (86-045-16)

From: Ontario Municipal Social Services Association

Whereas the waiting period after a marriage breakdown and eligibility for an application for Family Benefits is three months; and

Whereas the waiting period after breakdown in a common-law union and eligibility for an application for Family Benefits does not exist; and

Whereas this view of the family contradicts Section 1, Sub-section (1), the Family Law Act, 1986, as it describes "cohabit";

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to dispense with the waiting period.

Committee Recommendation: Recommended.

Conference Action:

HSS-26

AMENDMENTS TO THE IMMIGRATION ACT TO ALLOW MUNICIPALITIES PROVIDING ASSISTANCE TO IMMIGRANT WELFARE RECIPIENTS TO RECOVER THESE COSTS FROM THE SPONSORS (86-045-10)

From: Regional Municipality of Ottawa-Carleton

Be it resolved that the Province of Ontario be requested to apply to the Minister of Immigration, requesting that the Immigration Act, 1986 (Regulations 1978) be amended to provide any municipality providing assistance to a sponsored immigrant, the authority to recover these costs from the sponsor if he/she is capable of maintaining those payments.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HSS-27

REQUEST TO ESTABLISH A PROCEDURE TO REIMBURSE THE MUNICIPAL SHARE OF THE COST OF INTERIM ASSISTANCE WHERE THE ADMINISTRATOR'S DECISION IS UPHELD (86-045-34)

From: Ontario Municipal Social Services Association

Whereas the Ministry of Community and Social Services and the Family Benefits Act provide for the establishment and general procedures of the Social Assistance Review Board; and

Whereas the board may order interim assistance be paid to an applicant or recipient who otherwise may not be entitled to assistance; and

Whereas the municipality involved in the matter before the board must contribute 20 percent of the cost of the assistance, issued under such order and would otherwise not have been faced with the cost;

Therefore be it resolved that the Ministry of Community and Social Services establish a procedure whereby the municipality is reimbursed the 20 percent municipal share of the cost of interim assistance when the administrator's decision is upheld.

Committee Recommendation: Recommended.

Conference Action:

HSS-28

CLARIFICATION OF LEGISLATIVE PROVISIONS REGARDING 16 AND 17 YEAR OLDS RECEIVING SOCIAL ASSISTANCE (86-045-4)

From: County of Brant

Whereas various pieces of legislation deal differently with 16 and 17 year olds; and

Whereas the Young Offenders Act covers young people up to the age of 18 years and the General Welfare Assistance Act will allow, with administrative discretion, 16 and 17 year olds to receive assistance; and

Whereas the Child and Family Services Act only covers 16 and 17 year olds if they have been wards of the Children's Aid Society before that age and wish to continue wardship; and

Whereas 16 year olds can leave school after their 16th birthday; and

Whereas the Family Act makes parents responsible for their children up to the age of 18 years; and

Whereas these various Acts treat 16 and 17 year olds differently, in some cases considering them as adults, and in other cases, considering them as dependants; and

Whereas this leads to inconsistency and difficulty in servicing this vulnerable age group; and

Whereas municipalities, in providing General Welfare Assistance, are frequently the ones who must deal with the very hard-to-serve 16 and 17 year olds; and

Whereas they lack the resources and skills to deal effectively with these young people; and

Therefore be it resolved that the Ministry of Community and Social Services be requested to look specifically at this age group when studying the Income Maintenance System in Ontario and look at clari-

fying legislation in order to deal consistently with this age group in all pieces of legislation.

Committee Recommendation: Recommended as amended with the addition of the words "the 16 and 17 year old" after the words "specifically at" in the second line of the operative clause.

Section Comment

County and Regional Executive Committee: Recommended. Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HSS-29

FAMILY BENEFIT ELIGIBILITY FOR PERSONS 60-64 YEARS OF AGE (86-045-22)

From: Ontario Municipal Social Services Association

Whereas single women on General Welfare Assistance, aged 60-64 years of age, are eligible for Family Benefits Assistance; and

Whereas this eligibility does not apply to single men on General Welfare Assistance, aged 60-64 years of age, unless they have medical certification; and

Whereas this is discriminatory;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to make single men, aged 60-64, eligible for Family Benefits.

Committee Recommendation: Recommended.

Conference Action:

HSS-30

EXTENDED MEDICAL CARE TO SENIOR CITIZENS PRESENTLY NOT AVAILABLE UNDER THE ONTARIO HOSPITAL INSURANCE PLAN (86-090-5)

From: Northwestern Ontario Municipal Association

Whereas a number of senior citizens in the Province of Ontario are living on fixed incomes; and

Whereas the provincial "Guaranteed Income Supplement" provides a maximum of $707.15 and $588.95 per married couples and single persons respectively; and

Whereas these amounts in many cases provide the only monthly financial income available to these individuals; and

Whereas the cost of dental work, hearing aids, and eye glasses are not eligible for funding under the basic Ontario Health Insurance Program (OHIP) coverage and drug benefit programs provided to senior citizens; and

Whereas extended Blue Cross coverage can be obtained by seniors but does not cover eye glasses, hearing aids and only covers dental work which is attributable to accident; and

Whereas special assistance and supplementary aid could be made available to seniors under the General Welfare Act but is subject to the discretion of the welfare administrator and/or the area manager on a case-by-case basis and limited in scope and nature, thereby not providing the universality that is required by senior citizens in the Province of Ontario; and

Whereas no other provincial program(s) offers assistance to senior citizens requiring eye glasses, hearing aids, and dental care;

Therefore be it resolved that the Province of Ontario be petitioned to extend medical care to the senior citizens of this Province to provide those benefits not presently available under the basic Ontario Hospital Insurance Plan.

Committee Recommendation:

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

HSS-31

REQUEST TO EXTEND CHILD CARE SUBSIDY TO COVER CHILDREN UP TO THEIR THIRTEENTH BIRTHDAY (86-045-26)

From: Ontario Municipal Social Services Association

Whereas present provincial regulations require child care subsidy stop at the child's tenth birthday; and

Whereas many children before age thirteen are not mature enough to stay alone unsupervised; and

Whereas families who qualify for child care subsidy do not have resources available to enroll children up to their thirteenth birthday in community programs which would provide creative outlets for their energies; and

Whereas there are few other resources for these children in communities; and

Whereas these are impressionable years, easily influenced by peer pressure; and

Whereas there is an increasing concern about vandalism by young people, abduction, child abuse and pornography; and

Whereas this resolution was accepted in 1980 and there has been no response forthcoming from the Ministry of Community and Social Services; and

Whereas in 1986 this need still exists;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to extend child care subsidy to cover children up to their thirteenth birthday; and

Further that the Ministry of Community and Social Services be requested to respond to this important issue.

Committee Recommendation: Not Recommended.

Conference Action:

HSS-32

INFORMAL CHILD CARE (86-045-6)

From: AMO Social Development Committee

Whereas it is estimated that in Ontario a large percentage of children who require care on a regular basis from persons other than their parents or legal guardians receive this care through informal arrangements and very little is known about the quality of care these children are receiving by virtue of the fact that most of it is an underground industry where even the costs are unknown; and

SECTION "A", Part I

Whereas informal care can range from excellent to unsatisfactory, however it is believed that given affordable choices within the formal system, many parents would prefer to have their child care needs met in licenced programs or in supervised private home day care provided by a licenced agency; and

Whereas the reality of the current situation is that parents do not have these kind of choices, and in many cases they are obliged to use informal arrangements because nothing else is available or affordable;

Therefore be it resolved that it is a matter of serious concern to the Association of Municipalities of Ontario to note the increase in public money which is being spent on informal care and we do not believe that public funds should be spent in a sector where there is no accountability or formal assurance of acceptable standards; and

Furthermore A.M.O. recommends that:

a) the Ministry of Community and Social Services be urged to re-examine its current policy and to concentrate its efforts and funding on supporting an accessible, affordable and comprehensive system of child care. This system should encompass licenced group care and supervised private home day care that offer genuine choices of high quality child care arrangements to families in our province; and

b) the right of parents to choose informal care arrangements be maintained and respected but public funds should not be directed to informal care; and

c) a major public awareness campaign be instituted to inform the public of one, the importance and value of early childhood education and two, the criteria for choosing quality child care arrangements.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

HSS-33

PAYMENT ON AN ENROLLMENT BASIS FOR PRIVATE HOME DAY CARE PROVIDERS (86-045-27)

From: Ontario Municipal Social Services Association

Whereas municipalities have to pay daily fees regardless of attendance in purchase of service day care centres; and

Whereas municipalities do not pay for private home day care when the child does not attend; and

Whereas the private home day care providers are responsible to keep the day care space open and their home available regardless of attendance; and

Whereas under the provincial legislation, private home day care providers are limited to a total of five children at any one time; and

Whereas the provider's financial situation is jeopardized by non-attendance of children;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to provide funding for the provision of day care services in all licenced private home day care on an enrollment basis.

Committee Recommendation: Recommended.

Conference Action:

HSS-34

REQUEST TO AMEND THE DAY NURSERIES ACT REGARDING PRIVATE HOME DAY CARE CAPACITY (86-045-28)

From: Ontario Municipal Social Services Association

Whereas the Day Nurseries Act legislates private home day care capacity as:

PD-0804-04/56 (1) (2), Page 1

"1. two handicapped children
2. two children who are under two years of age
3. three children who are under three years of age
4. one handicapped child and one child who is under two years of age

5. one handicapped child and two children who are over two years of age, but under three years of age."; and

Whereas this means that regardless of age, a handicapped child is considered as an under two year old when calculating capacity in private home day care; and

Whereas this does not take into account the integrated child's function level; and

Whereas this limits the providers ability to accept other children under the age of three years;

Therefore be it resolved that the Ministry of Community and Social Services be petitioned to amend the Day Nurseries Act capacity criteria to reflect the child's actual functional level.

Committee Recommendation: Recommended.

Conference Action:

HSS-35

FUNDING FOR SPECIAL NEEDS CHILDREN AGE 2-5 YEARS IN REGULAR PRESCHOOL PROGRAMS (86-045-24)

From: Ontario Municipal Social Services Association

Whereas the Standing Committee on Social Development, on Recommendations on the Day Nursery Act, has recognized the existence of 'special needs' children, apart from 'handicapped children' (Recommendation #41); and

Whereas children can be identified as 'special needs' because of scores obtained on developmental and behaviour assessment screens (Disc, Behar); and

Whereas professionals (i.e. speech pathologists, pediatricians, behaviour consultants, psychologists, public health nurses, early childhood educators) identify children as 'special needs' because of significant development delays due to emotional, behavioural, environmental or physical causes; and

Whereas these 'special needs' children do not meet the criteria of 'handicapped' children; and

Whereas professionals refer to a high percentage of these children with significant developmental delays to licenced integrated day nurseries; and

Whereas licenced, integrated day nurseries are adequately staffed to meet the needs of 'handicapped' children, and 'normal' children; and

Whereas studies prove that 'special needs' children benefit for quality day nursery programs where the 'normal' population models age appropriate behaviour and skills;

Therefore be it resolved that the Ministry of Community and Social Services adopt the comprehensive definition of 'special needs' developed by Community Concerns Incorporated; and

Further that the Ministry of Community and Social Services use this comprehensive definition to rationalize the funding mechanisms available to special needs children served through the day care subsidy system to enable fair and equitable access to support.

Committee Recommendation:

Conference Action:

HSS-36

REQUEST TO PROVIDE FOR 100 PERCENT FUNDING FOR HANDICAPPED CHILDREN UNDER FIVE (86-045-25)

From: Ontario Municipal Social Services Association

Whereas the Day Nurseries Act states DN-9901-03-3A, Page 70, states:

> "(i) one hundred percent of the net cost for each handicapped child, five years of age or older; and
>
> (ii) eighty-seven percent of the operating cost of each handicapped child under five years of age provided that the amount payable under the Act is calculated in such a manner that the amount payable plus the fees payable by the parents shall not exceed the operating costs ..."; and

Whereas the Human Rights Code, 1981 Chapter 53, Page 1, states:

> "(1) Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status or handicap."; and

Whereas it appears that the Day Nurseries Act, Page 70, Item (ii) as quoted above, is discriminatory according to the Human Rights Code, Chapter 53, Page 1; and

Whereas only families of handicapped children under five years of age are subject to additional expenses with respect to services; and

Whereas the preschool years are very important years developmentally for handicapped children; and

Whereas under "Bill 82" regulation 262/82 "Deaf and Hearing - Impaired Children" are legally entitled to special education from the age of two years, in recognition of the "sensitive period" of eighteen months to three-and-a-half years; and

Whereas the response in 1985 from the Ministry of Community and Social Services only quoted the Day Nurseries Act and did not address the issue;

Therefore be it resolved that the Ministry of Community and Social Services provide 100 percent funding for services for handicapped children under five years of age; and

That the Day Nurseries Act be adjusted to comply with the Human Rights Code.

Committee Recommendation: Recommended.

Conference Action:

HSS-37

REQUEST FOR THE PROVINCIAL GOVERNMENT TO PAY 100 PERCENT OF ALL COSTS FOR SUPPORT SERVICES AND DEVICES FOR INDIVIDUALS MOVING OUT OF INSTITUTIONS (86-090-1)

From: County of Brant

Whereas the Ministries of Community and Social Services and Health have, since the 1970's, promoted deinstitutionalization for persons with developmental, psychiatric and physical handicaps; and

Whereas the move to have all persons who are able, live within our communities, is supported; and

Whereas this change has shifted costs for support services and devices onto the municipal tax base, i.e. costs for homemakers, nursing services, assistive devices and dental costs; and

Whereas the costs for persons in institutions were covered 100 percent by provincial and federal monies; and

Whereas municipalities do not have the tax base to support additional costs; and

Whereas representatives from the Ministry of Community and Social Services gave assurances in the early 1980's that deinstitutionalization would not cause additional costs to municipalities; and

Whereas municipalities are experiencing additional costs under cost-shared programs, such as homemaker services, nursing services and supplementary aid for persons who are moving out of institutions;

Therefore be it resolved that the Ministry of Health be petitioned to extend the Assistive Devices Program to cover all persons, not just persons up to age twenty-two; and

That the Ministry of Community and Social Services be petitioned to pay 100 percent of all costs for homemaker services, nursing services, assistive devices (client's share) and other items of extraordinary need for all clients on FBA Disability Pensions.

Committee Recommendation: Recommended as amended as follows:

a) that the first operative clause be deleted and supported as a separate motion; and

b) that the second operative clause be amended as follows:

"That the provincial government be petitioned to pay 100 percent of all municipally-shared costs for homemaker services, nursing services, assistive devices (client's share) ... "

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 83-9: "Response to Blueprint for Change: The Next Ten Years, Interim Report of Dr. G.F. Heseltine", states in part as follows:

"That the Province of Ontario commit itself to assuming all costs arising from deinstitutionalization and the development of the community based service system, and to ensuring that no additional burden is added to the local tax base."

Section Comment

County and Regional Executive Committee: Recommended as amended as being proposed by the Legislative and Resolutions Committee. Will be debated at the fall 1986 Annual Meeting of the Section.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended, the first operative clause to read:

"Therefore be it resolved that the Ministry of Health be petitioned to extend the Assistive Devices Program to cover all per-

sons, not just persons up to age twenty-two, whether or not they have been institutionalized; and"

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

HSS-38

REQUEST TO REVISE THE REGULATIONS TO PROVIDE EQUITY BETWEEN FBA/GWA WITH RESPECT TO BOARDER INCOME (86-045-15)

From: Ontario Municipal Social Services Association

Whereas the Province of Ontario is actively engaged in the integration of G.W.A. and F.B.A.; and

Whereas Family Benefits and General Welfare Assistance Regulations provide for the different treatment of boarder income from a child or grandchild, that is Family Benefits does not consider these children as boarders, but General Welfare does consider these children as boarders; and

Whereas this policy causes considerable confusion for recipients transferred from General Welfare to Family Benefits;

Therefore be it resolved that the Province of Ontario be petitioned to revise the Regulations to provide equity between F.B.A. and G.W.A. with respect to the treatment of boarder income.

Committee Recommendation: Recommended as amended as follows:

i) deletion of the first introductory clause; and

ii) addition of the following clause to the end of the operative clause: "..., by adopting current G.W.A. guidelines."

Conference Action:

HSS-39

REQUEST TO REVIEW THE NORTHERN HEALTH TRAVEL GRANT PROGRAM (86-090-6)

From: Ontario Municipal Social Services Association

Whereas the Northern Travel Grants are payments reimbursed approximately six weeks after the fact; and

Whereas these grants do not cover a significant amount of medically-necessary travel, because the one-way distance is less than the required 300 km.;

Therefore be it resolved that A.M.O. meet with the appropriate government officials to negotiate solutions to the above problems with the Northern Health Travel Grant Program.

Committee Recommendation: Recommended.

Conference Action:

HSS-40

PROVINCIAL GOVERNMENT TO ASSUME RESPONSIBILITY FOR THE PROVISION OF PROSTHETICS AND ASSISTIVE DEVICES (86-090-3)

From: Municipality of Metropolitan Toronto

Be it resolved that the Province of Ontario be requested to assume the responsibility for the provision of prosthetics and assistive devices to all disabled or chronically ill individuals.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HOUSING

H-2

REQUEST TO CHANGE THE TERMINOLOGY USED IN DESIGNATING 'LOCAL HOUSING AUTHORITIES' (86-092-4)

SECTION "A", Part I

From: Municipality of Metropolitan Toronto

Whereas the Metropolitan Toronto Housing Authority is operated exclusively by the Ontario Housing Corporation on behalf of the Province of Ontario; and

Whereas the Metropolitan Toronto Housing Company Limited is operated by the Municipality of Metropolitan Toronto; and

Whereas the similarity in names often results in considerable confusion, not only for the general public, but even for residents who live in Metropolitan Toronto Housing Authority operated units; and

Whereas the name "Metropolitan Toronto Housing Authority" implies that the jurisdictional responsibility for Ontario operated housing lies with the Metropolitan Toronto Housing Company Limited; and

Whereas there has been some suggestion that the name was deliberately chosen to obfuscate the province's role and responsibility; and

Whereas the Minister of Housing has indicated his refusal to consider a change in the name for the Metropolitan Toronto Housing Authority;

Therefore be it resolved that until such time as this change is made, it be the official policy of the Municipality of Metropolitan Toronto that henceforth in all matters including reports and correspondence (save and except matters of jurisprudence) the Metropolitan Toronto Housing Authority be referred to as the "Ontario Housing Corporation (M.T.H.A. Branch)".

Committee Recommendation: Recommended as amended by substituting the operative clause with the following:

"Therefore be it resolved that the provincial government be requested to revise its procedures with respect to the terminology used in designating their housing authorities as the "Ontario Housing Corporation (local branch)."

Conference Action:

LAW AND ENFORCEMENT

LE-1

AMENDMENT TO THE CRIMINAL CODE REGARDING REGULATIONS OF NUDITY, OBSCENE ACTS AND GROSS INDECENCY IN PUBLIC PLACES (86-155-9)

From: City of Windsor

Be it resolved that:

a) the Minister of Consumer and Commercial Relations for the Province of Ontario be petitioned to amend the Liquor Licence Act and Regulations to prohibit nude dancing and other obscene adult entertainment in premises licenced under the said Act; and

b) the Federal Minister of Justice be petitioned to amend the Criminal Code of Canada to refine the definitions of nudity, obscene acts and acts of gross indecency in public places and to give consideration to creating a new offence prohibiting nude dancing in public places; and to eliminate the necessity for the approval of the Attorney General of the Province of Ontario to commence proceedings under the provisions of the Criminal Code, and also, to give consideration to delegating federal power to the province for the purpose of provincial regulation of nudity, obscene acts and gross indecency in public places; and

c) the Attorney General for the Province of Ontario be petitioned to support our application to the Minister of Justice of Canada for amendments to the Criminal Code; and

d) citizens of Ontario be encouraged to petition the provincial and federal governments to advise them of their disapproval of these kinds of activities in public places and to express their outrage and request for a legislative solution to the problem in communities.

Committee Recommendation: Not Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended by deleting all references to "and other obscene acts and acts of gross indecency in public places".

Conference Action:

LE-2

PROHIBITION OF NUDITY OF PERSONS IN PREMISES LICENCED UNDER THE ONTARIO LIQUOR LICENCE ACT (86-050-4)

From: City of Windsor

Whereas there has been a proliferation of adult entertainment parlours in the City of Windsor within premises licenced under the Liquor Licence Act; and

Whereas the principal feature of such adult entertainment parlours is the nudity of the performer; and

Whereas such activity is deemed adverse to the public interest; and

Whereas the operation of an adult entertainment parlour is economically viable only in premises licenced under the Liquor Licence Act; and

Whereas neither the Liquor Licence Act nor the Regulations made thereunder prohibit the nudity of any person within licenced premises;

Therefore be it resolved that the Minister of Consumer and Commercial Relations be petitioned that Section 8 of Ontario Regulation 581, made under the Liquor Licence Act, be amended to provide that no holder of a licence shall permit any person to exhibit his/her pubic area or buttocks in premises licenced under the Liquor Licence Act; and

Further that the Parliament of Canada be petitioned to delegate to the Liquor Licence Board of Ontario such powers as may be necessary to give effect to said proposal.

Committee Recommendation: Not Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed. See resolution "LE-1" which was endorsed as amended.

Rural Executive Committee: Not Recommended.

Conference Action:

LE-3

REQUEST THAT THE POSITION OF "SPECIAL CONSTABLE" BE MAINTAINED WITHIN PART II OF THE PROVINCIAL OFFENCES ACT (86-035-2)

From: City of North York

Whereas it appears that the Province of Ontario is expected to introduce new legislation in March 1986, namely Part II of the Provincial Offences Act; and

Whereas the said Act is likely to contain a provision to eliminate the position of 'special constable'; and

Whereas 'special constables' are entitled to provide traffic control and issue parking tickets on private property such as fire routes, condominium property, and shopping centres; and

Whereas they have been helpful in relieving the police department of parking controls on private property;

Therefore be it resolved that the Association of Municipalities of Ontario endorse the policy of continuation of the 'special constable' status and that the provincial government be so informed.

Committee Recommendation: Recommended.

Section Comment

Rural Executive Committee: Recommended.

Small Urban Executive Committee: Recommended.

Conference Action:

MUNICIPAL ELECTIONS

ME-1

MUNICIPAL ELECTION VOTING HOURS (86-060-2)

From: City of Toronto/District Municipality of Muskoka

Whereas voting does not begin in municipal elections until 11:00 a.m. as opposed to 9:00 a.m. in federal and provincial elections; and

Whereas bringing the municipal voting hours into line with those in provincial and federal elections is likely to increase voter participation at the municipal level;

Therefore be it resolved that the Minister of Municipal Affairs be requested to amend the Municipal Elections Act to have the voting hour times 9:00 a.m. to 8:00 p.m. in municipal elections changed to correspond with the provincial and federal elections polling hours.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Recommended.

SECTION "A", Part I

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed.

Rural Executive Committee: Recommended.

Conference Action:

ME-2

DATE OF MUNICIPAL ELECTIONS (86-060-3)

From: City of Brampton

Be it resolved that the provincial government be petitioned to hold municipal elections on the last Monday of September to improve voter turnout.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed.

Rural Executive Committee: Not Recommended.

Conference Action:

ME-3

REQUEST TO ADVANCE BY TWO WEEKS, THE NOMINATION PERIOD FOR MUNICIPAL CANDIDATES (86-060-8)

From: Federation of Northern Ontario Municipalities

Whereas the closing date for nominations for municipal elections is only three weeks prior to the election and only one and a half weeks prior to the advance poll; and

Whereas the short length of time creates a serious problem for some ratepayers, particularly for seasonal residents who vote mainly at the advance poll, and who have a keen interest in the municipality and wish to be made aware of the nominees and their platforms;

Therefore be it resolved that the provincial government be urged to look into the possibility of increasing the time span by approximately two weeks between the nominations closing date and the polling date, thereby allowing more involvement by all ratepayers.

Committee Recommendation:

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

NORTHERN ONTARIO

NO-1

FUNDING BE PROVIDED FOR INDUSTRIAL DEVELOPMENT COMMISSIONERS ON A COST SHARING BASIS (86-120-1)

From: Northwestern Ontario Municipal Association

Whereas most communities in northwestern Ontario are scattered and isolated with small populations; and

Whereas many communities in northwestern Ontario do not presently have the expertise to handle the job of selling the town to potential commercial enterprises; and

Whereas it is agreed that the economy of northwestern Ontario must be diversified; and

Whereas many municipalities have expressed an interest in economic development;

Therefore be it resolved that Industrial Development Commissioners be funded by the Ministry of Northern Development and Mines in conjunction with municipalities, singly or in a reasonable cluster concept, on a 75-25 cost sharing basis.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

NO-2

CENTRE FOR LOCAL GOVERNMENT STUDIES IN NORTHERN ONTARIO (86-060-9)

From: Northwestern Ontario Municipal Association

Whereas in his address to the Association of Municipalities of Ontario (AMO) in August of 1985, the Honourable Bernard Grandmaitre, Minister of Municipal Affairs, suggested a need for the establishment of a centre for local government studies in association with an academic institution; and

Whereas Confederation College in Thunder Bay recommended the establishment of a northern centre of local government studies geared to small municipalities and one-industry towns; and

Whereas the Association of Municipal Clerks and Treasurers of Ontario (AMCTO) proposed the establishment of such a centre in Toronto for large and urban municipalities and another in northern Ontario for small and single-industry municipalities; and

Whereas our decision-makers and managers are members of various municipal associations and receive training and guidance by correspondence or attending functions in the large southern centres and these opportunities are generally presented in the large urban contexts and impose heavily on our time and travel budgets;

Therefore be it resolved that the Association of Municipalities of Ontario recommend to the Minister of Municipal Affairs that a northern centre for local government studies be established in Thunder Bay with a mandate to provide training and development opportunities for the municipalities of northern Ontario.

Committee Recommendation: Recommended.

Conference Action:

PLANNING AND DEVELOPMENT

PD-1

REQUEST TO ENACT A NEW AGGREGATES ACT TO PERMIT THE APPLICATION OF A MUNICIPAL LEVY ON AGGREGATE EXTRACTIONS (86-115-2)

From: Township of Puslinch

Whereas the need for a new Aggregates Act is required in the Province of Ontario; more particularly, the need for an aggregate extraction levy on granular extraction in the Province of Ontario; and

Whereas aggregate producers in the Province of Ontario extract large amounts of gravel, stone, sand and other materials; and

Whereas within the municipality such extraction takes place and there is only minimal taxation revenue from the operation; and the said operations, in most instances, require only non-taxable machinery to remove the aggregates; and

Whereas municipalities in the Province of Ontario feel that when a gravel pit is allowed to operate in their area and approval is given by the Ministry of Natural Resources, a levy should be payable to the municipality, collectively, the aggregate producers are supportive of such a policy; and

Whereas the responsibilities of the municipalities are compounded when such an industry is allowed to locate in their area; the number of gravel trucks, the environmental concerns and the protection problems associated with such an industry are more numerous and as such an extraction levy is deserving;

Now therefore be it resolved that the Minister of Natural Resources and the Ontario government be petitioned to immediately forthwith take steps to enact a new Aggregates Act wherein a municipal levy on aggregate extractions throughout the municipalities of Ontario may be applied, the said levy to be related to the annual tonnage of material so extracted; and

Further the recommended and fair levy being four cents ($.04) per tonne so extracted shall be applied to all extractions in all municipalities; and

Further the financial sum so calculated ($.04) per tonne shall be in direct relationship to the annual tonnage report to the provincial treasurer under the provisions of the new Aggregates Act; and

Further the above said levy shall apply to all pits and quarries within any municipality and shall equally apply to all municipal, wayside, temporary or established pits and quarries; and

Further the above said specific monetary levy allocations shall be distributed via a municipal council resolution in any given municipality; and

Further the monies derived from this levy shall in no instance benefit the aggregate producers but shall be used for the sole benefit of the residents and ratepayers of any given municipality; and

Further to insure this direct benefit, the financial transaction shall take place directly between the aggregate producer and the municipality; and

Further the monies derived from this levy shall in no way reduce or jeopardize the normal allocation of subsidy monies received from the Ministry of Transportation and Communications.

Committee Recommendation: Not Recommended. See resolution "PD-12", Section "B".

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Recommended as amended with the deletion of the operative clauses, except for the first operative clause to read as follows:

> "Therefore be it resolved that the Minister of Natural Resources and the Ontario government be petitioned to enact a new Aggregates Act which would require the payment of a municipal levy on aggregate extractions."

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

PD-2

AMENDMENT TO LEGISLATION REGARDING SALE OF SURPLUS LANDS OWNED BY A MUNICIPAL CORPORATION WITHIN THE BOUNDARIES OF ANOTHER MUNICIPALITY (86-064-3)

From: Town of Richmond Hill

Whereas the Government of the Province of Ontario and the governments of municipalities in Ontario are entrusted by those who elect them with an obligation to undertake business in the best interests of the members of the public; and

Whereas the assets of the various governments are held in public trust for the use and benefit of the members of the public; and

Whereas the disposal of surplus assets of a government body must be undertaken in a manner which ensures the maximum long term benefit to the public; and

Whereas the Province of Ontario has adopted a policy for the disposal of its surplus land assets which requires that the municipality in which those lands are located be provided the first opportunity to acquire surplus lands from the Province of Ontario; and

Whereas the said disposal policy of the Province of Ontario ensures that not only the best interests of the residents of the Province are protected by requiring the local municipality to pay the market value for surplus provincial lands if the local municipality wishes to acquire them, but also are protected the interests of the residents in the municipality in which the land is located by providing the municipality with the first option to acquire surplus government assets located within its boundaries; and

Now therefore be it resolved that the Province of Ontario be petitioned to amend the provisions of the Municipal Act and any other relevant legislation to require a municipal corporation which owns lands located in another municipality, which lands have become surplus to the needs of the municipal corporation that owns them, to first offer to sell such surplus lands to the municipal corporation within whose boundaries the lands are located at market value and to be bound to accept an offer to purchase such lands by the municipal corporation within whose boundaries the lands are located if such municipal corporation offers to purchase them at their market value.

Committee Recommendation:

Conference Action:

RECREATION, PARKS AND CULTURE

RPC-2

AMENDMENT TO THE PUBLIC LIBRARIES ACT TO ALLOW LIBRARY BOARDS TO REINSTATE "NOMINAL FEES" FOR MEMBERSHIP AND USE OF ITS MATERIALS (86-040-2)

From: Regional Municipality of Waterloo

Whereas public libraries are established by municipal bylaw; and

Whereas a public library board, county library board or county library cooperative board must annually submit to the appointing council estimates of all sums required during the year for the purposes of the board; and

SECTION "A", Part I

Whereas the amount of the board's estimates that is approved or amended and approved by the council shall be adopted by the board and shall be paid to the board out of the monies appropriated for it; and

Whereas the amount approved by council is the major portion of the library's revenue; and

Whereas the Public Libraries Act, 1984 severely restricts the public library board from raising additional revenues by prohibiting nominal charges for membership cards; and

Whereas effective 1990, the library board will be required to cease charging for the use of audio-visual materials including sound recordings, audio and video cassettes, tape recordings, video discs, motion pictures, film strips, film loops, micro materials in all formats, computer software and multi-media kits, from which revenue is currently received; and

Whereas municipalities face increasing demands on the tax dollar; and

Whereas most municipalities are operating on the principle of users paying for services received;

Now therefore be it resolved that the Ontario Ministry of Citizenship and Culture be requested to rescind Section 23 (1) and (2) of the Public Libraries Act, 1984 so as to allow library boards to reinstate nominal charges for membership to the public library and use of its materials.

Committee Recommendation:

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 84-8: "Response to Bill 93: An Act respecting Public Libraries", states in part as follows:

> "AMO also supports the proposals within the Bill that would require that basic library services (library access and use of books and other materials within the library) be provided free of charge. The circulation of printed materials should also be provided to the local populace free of charge, provided a reasonable administrative fee can be charged to cover the costs associated with the provision of library circulation cards. Subsections 23(3)(a) and (c) would permit the charging of fees for other services or for the use of circulation and information services by other than the local population.
>
> Given the above, AMO recommends:
>
> 5. That subsection 23(3) be amended by the addition of a new subsection (d) that would permit the charging of an administrative fee to cover the costs of providing library circulation cards."

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

RPC-3

PROVISIONS TO CONTROL UNDERAGE DRINKING IN MUNICIPAL FACILITIES AND THROUGHOUT THE PROVINCE FOR EVENTS LICENCED UNDER SPECIAL OCCASION PERMITS (86-050-3)

From: City of Gloucester

Whereas the Corporation of the City of Gloucester is concerned about underage drinking in municipal facilities and throughout the province; and

Whereas several municipalities in the province, including the City of Gloucester, have with the excellent co-operation of the Liquor Licence Board of Ontario, considered and implemented policies and procedures prohibiting minors from attending licenced events in municipal facilities save and except family events, such as weddings; and

Whereas the Council of the City of Gloucester is desirous of encouraging all Ontario municipalities to reduce the incidence of underage drinking in their municipalities as well;

Therefore be it resolved that no persons under the age of nineteen years be permitted to attend functions in Civic Buildings licenced under Special Occasion Permits except for family oriented events, such as weddings, anniversaries, etc.; and

Furthermore, that the Liquor Licence Board of Ontario be requested not to accept applications for Special Occasion Permits for municipal facilities unless accompanied by a facility use permit issued by the municipality; and

Furthermore, said permit to identify in bold print whether or not minors are to be admitted to the function and the application for a Special Occasion Permit must correspond to same.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

SECTION "A", Part I

Large Urban Section: At the 1986 Annual Meeting of the Section, not endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Conference Action:

RPC-4

REQUEST FOR THE MINISTER OF TOURISM AND RECREATION TO CONVENE A CONFERENCE TO EXAMINE ISSUES IN RECREATION
(86-135-2)

From: Federation of Northern Ontario Municipalities

Whereas the recreation industry is vital to the social and economic well-being of all northern Ontario municipalities, providing $9.07 in expenditures throughout the province for every one dollar spent in recreation; and

Whereas there is a close relationship between recreation and tourism, a recent study determined that recreation is one of the principal reasons for tourism activities. Participation in sporting events and outdoor activities occurred in 24 percent of all tourism trips; and

Whereas there is a need for greater visibility and marketing paid to recreation in this province; and

Whereas more resources need to be applied to recreation services in northern Ontario;

Therefore be it resolved that the provincial government recognize the importance of recognition of recreation to society and that discussions be pursued to provide the necessary resources to maintain and improve the quality of life.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

RPC-5

AMENDMENT TO THE ONTARIO HERITAGE ACT WITH RESPECT TO ADVERTISEMENT REQUIRED IN THE DESIGNATION PROCESS (86-040-1)

From: City of Kitchener

Be it resolved that the Minister of Citizenship and Culture be requested to initiate an amendment to the Ontario Heritage Act to require that the only advertising required in the designation process should be the publication of one "Notice of Intention to Designate" and one "Notice of Passing of Bylaw" in a newspaper having general circulation in the municipality.

Committee Recommendation: Recommended.

Section Comment

Small Urban Executive Committee: Recommended.

Conference Action:

RPC-6

"SPECIAL OCCASION PERMITS" TO BE ISSUED TO RECOGNIZED COMMUNITY RECREATIONAL ORGANIZATIONS SUBJECT TO APPROVAL BY THE LOCAL MUNICIPALITY (86-050-6)

From: Federation of Northern Ontario Municipalities

Whereas the Association of Municipalities of Ontario (AMO) has been petitioned for support to a request directed at the provincial government to amend a regulation under the Liquor License Act so as to allow "Special Occasion Permits - Fund Raising" to be issued to sports organizations; and

Whereas it is recognized that sports clubs, especially those in northern communities who travel great distances and therefore encounter additional expenses for meals, travel and accommodations, rely heavily on fund raising events to finance their activities; and

Whereas sports clubs in northern communities and across the province are major contributors to the financial viability of community recreational facilities; and

SECTION "A", Part I

Whereas after due consideration it deems it advisable that the present legislation on this matter be "changed" to allow "said" permits to be issued to recognized community recreational organizations;

Therefore be it resolved that the Association of Municipalities of Ontario hereby favours changes to Regulation No. 581, under the Liquor Licence Act to allow Special Occasion Permits for fund raising purposes, to be issued for events organized by recognized community recreational organizations, subject to the prior approval of the issue of said permits by the local municipality in which the event is to take place.

Section Comment

Northern Ontario Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

SAFETY

S-1

LEGISLATION TO REQUIRE THE USE OF MANDATORY SEAT BELTS IN ALL ONTARIO SCHOOL BUSES (86-140-2)

From: City of Barrie

Whereas there are 14,000 school buses in Ontario with the exception of Toronto and Etobicoke, no school buses are equipped with seat belts; and

Whereas Ontario has had a seat belt law for private vehicles since 1976. While the percentage of users of belts is not known, nevertheless, incidence of deaths and injuries to car occupants has declined noticeably since the seat belt law was enacted; and

Whereas the Ontario Medical Association and Ontario Safety League favour belts on all school buses; and

Whereas during the 1983-84 school year there were 900 accidents involving school buses in Ontario resulting in 233 students injured (211 within buses and 12 crossing roads). Most school buses held 44-48 children seated. Frequently 80 or more are crammed into one bus. This means that up to four children occupying one seat and dozens more are standing up; and

Whereas studies show that belts on seat belt equipped buses are often not used due to driver indifference; and

Whereas the Ontario Medical Association has called for seat belts on buses not only for safety but "as a means of effecting attitudinal change towards seat belts in the next generations"; and

Whereas Transport Canada says school bus accidents have fallen significantly in the U.S.A. since crash worthiness engineering in road safety has been introduced in school buses;

Now therefore be it resolved that legislation be introduced making seat belts mandatory in all Ontario school buses and that the belts be shoulder-lap and shoulder between the legs in order to protect children of various sizes; and

Furthermore by 1988:

a) that all school bus seats face backwards to minimize whip lash, broken teeth and head damage;

b) that the physical structure of all new school buses have roofs capable of supporting one and one-half times their weight;

c) that seats require more padding, higher backs and windows that pop out on emergencies;

d) that bus drivers be delegated to enforce the use of belts by students.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Rural Executive Committee: Not Recommended.

Small Urban Executive Committee: Not Recommended.

Conference Action:

TRANSPORTATION AND COMMUNICATIONS

TC-1

REQUEST TO REPEAL LEGISLATION AUTHORIZING THE FORMATION OF SUBURBAN ROADS COMMISSIONS (86-140-6)

From: City of Belleville/City of Sarnia

SECTION "A", Part I

Whereas the legislation existing in the Public Transportation and Highway Improvement Act authorizing the formation of Suburban Roads Commissions, is considered to be outmoded in the present context and no longer serve the purpose for which they were established; and

Whereas in view of the contribution of the Ministry of Transportation and Communications, the concept that rural municipalities cannot afford to build farm to market roads, is no longer valid; and

Whereas these roads serve not only those engaged in agricultural but residential, commercial and industrial developments, as well;

Therefore be it resolved that the Government of Ontario be requested to repeal Part VII, Suburban Roads Commission of the Public Transportation and Highway Improvement Act authorizing the formation of Suburban Roads Commissions.

Committee Recommendation: Recommended as amended, the operative clause to read:

"Therefore be it resolved that suburban roads commissions be phased out and that the more heavily travelled suburban roads be designated as provincial highways, and the remaining suburban roads under the jurisdiction of the county with the provincial government's assurance that the existing urban contributions to the county roads system will be contributed by the province in addition to the existing county road subsidy with appropriate indexation."

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as proposed by the AMO Legislative and Resolutions Committee.

Rural Executive Committee: Not Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Conference Action:

TC-2

LEGISLATION TO ALLOW COUNTY GOVERNMENTS TO REGULATE THE CREATION OF NEW ENTRANCES AND MODIFICATION OF EXISTING ENTRANCES ONTO COUNTY ROADS (86-140-14)

From: Municipal Engineers Association

Whereas the counties of the Province of Ontario have as part of their responsibilities the administration of a county roads system which provides the province with a network of arterial roads; and

Whereas the present statutory authority for the counties in Ontario to regulate and control the construction and alteration of entrances onto the county roads system is unclear; and

Whereas it is necessary to regulate and control the location, construction and alterations to entrances in order to fulfill the county's mandate to provide a safe and efficient transportation network;

Therefore be it resolved that Section 63 of the Public Transportation and Highway Improvement Act is to be revoked and the following substituted therefor:

63-(1) a county may, with respect to the roads under its jurisdiction and control, by bylaw prohibit or regulate,

a) the construction or alteration of any private road, entrance-way, gate or other structure or facility as a means of access to a road;

b) any change in use or classification of any private road or entrance-way as a means of access to a road;

c) the displaying of any sign, other than a portable sign, notice or advertising device within 400 metres of any limit of a road; and

d) the placing, erecting or altering of any gasoline pump within 45 metres of any limit of a road.

(2) A bylaw passed under this section may provide for the issuing of permits and may prescribe the form, terms and conditions thereof and the fees to be paid therefore, and may prescribe penalties for contravention of the bylaw.

Committee Recommendation: Recommended as amended by adding the following new operative clause:

"And furthermore that similar amendments be made to all Regional Acts where appropriate."

Conference Action:

TC-3

AMENDMENT TO THE PETROLEUM RESOURCES ACT REGARDING OIL AND GAS EXPLORATION ROYALTIES FOR MUNICIPAL ROADWAYS
(86-115-5)

From: Township of Mersea

Be it resolved that the Ministry of Natural Resources for Ontario be petitioned to amend the Petroleum Resources Act and Regulations passed thereunder, to include municipal road allowances and spacing units for the purposes of drilling in exploration of oil and gas, in order to ensure that the entire municipality is properly compensated for the public funds expended to maintain the said road allowances.

Committee Recommendation: Recommended.

Supplementary Information: Our municipality is quite concerned that the commencement of oil and gas exploration and operations on a number of properties in Mersea Township have caused considerable damage to the township roadways due to the additional truck and equipment traffic.

It is our understanding that road allowances are not eligible for inclusion in the Ontario Spacing Regulations passed pursuant to the provisions of the Petroleum Resources Act, R.S.O. 1980, and therefore, no royalty monies are available to aid in adequately maintaining roadways.

Section Comment

Rural Executive Committee: Recommended.

Small Urban Executive Committee: Recommended.

Conference Action:

TC-4

REQUEST TO REVIEW THE "TIME OF YEAR" RESTRICTIONS PLACED FOR MUNICIPAL BRIDGE CONSTRUCTION AND REPLACEMENT
(86-115-4)

From: County of Bruce

Whereas the Association of Municipalities of Ontario is not in agreement with the criteria used by the Ministry of Natural Resources in

placing restrictions on the time of year for municipal bridge construction and replacement; and

Whereas the present criteria which allows construction to occur only between July 15 and September 30 is unrealistic because it increases the cost of the work borne by the municipality and the Province of Ontario and in turn the taxpayer; and

Whereas this criteria creates a hardship for municipalities and contractors to limit bridge construction to the mentioned time period; and

Whereas Council supports Ministry actions to maintain water quality and minimize construction during fish migration; and

Whereas bridge replacements which may occur once every fifty years must have less effect on the watercourse and fish migration than the annual sediment loading which occurs through the natural erosion process, non-point source pollution and agricultural sedimentation;

Therefore be it resolved that the Ministry of Natural Resources be requested to review its criteria for bridge replacement and construction to allow applicants more flexible time periods, and that the cost of time restrictions imposed on the builder be compared with the cost of restocking or repairing a watercourse.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Conference Action:

TC-5

AMENDMENTS TO THE OFF-ROAD VEHICLES ACT (86-140-11)

From: Town of Simcoe

Whereas the Off-Road Vehicles Act, 1983, S.O. Chapter 53, basically controls permitting of off-road vehicles, such as A.T.V.'s, but does not satisfactorily address safety;

Be it resolved that the Minister of Transportation and Communications be requested to amend the Off-Road Vehicles Act to encompass the following changes:

SECTION "A", Part I

1. that it be mandatory to wear a helmet on an off-road vehicle, i.e. if the engine is on, the helmet must be on;

2. that the minimum age to operate an off-road vehicle be standardized at twelve years;

3. that no person shall operate an off-road vehicle without an off-road vehicle operator's licence;

4. that an applicant for an off-road vehicle operator's licence shall produce evidence that the applicant has attended a course in the safe operation of off-road vehicles and has passed a test of skill, knowledge and competence;

5. that a driver's licence to drive a motor vehicle under the Highway Traffic Act shall not be used instead of an off-road vehicle operator's licence;

6. that the training required to get an off-road vehicle operator's licence be special training such as that put on by the Canadian All Terrain Vehicles Distributor's Council;

7. that no person shall drive an off-road vehicle across a serviced roadway except at an angle of approximately 90 degrees to the direction of the serviced roadway;

8. that the driver of an off-road vehicle about to cross a roadway from a property adjoining the roadway shall:

   a) bring the off-road vehicle to a complete stop; and
   b) yeild right-of-way to all oncoming traffic that constitutes a hazard;

9. that no person shall drive an off-road vehicle across a highway unless he has attained the full age of fourteen years and he holds an off-road vehicle operator's licence;

10. that no person shall drive an off-road vehicle on a trail unless he has attained the full age of twelve years and he holds an off-road vehicle operator's licence;

11. that the driver of an off-road vehicle shall not follow another off-road vehicle more closely than is reasonable and prudent, having regard for the speed of such vehicle;

12. that no person shall park, stand, or stop an off-road vehicle on a roadway,

13. that there be a common registry for all off-road vehicle fatalities in Canada;

14. that no person shall drive an off-road vehicle unless it is insured under a motor vehicle policy in accordance with the insurance act;

15. that the council of a municipality may pass bylaws prohibiting the operation of off-road vehicles across any highways;

16. and that until the above becomes legislation, people be encouraged to take the Canadian All Terrain Vehicles Distributor's Course, and that the Association be encouraged to continue giving the course, and safety information be made available at all off-road vehicle dealerships.

Committee Recommendation: Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 84-2: "Response to the Off-Road Vehicles Act" addresses some of the concerns identified by the Association which were not included in the introduction of the Off-Road Vehicles Act which was given Royal Assent on November 9, 1983 as follows:

- that legislation governing motorized off-road vehicles apply to all classes of motorized off-road recreational vehicles;
- that vehicles used for off-road maintenance purposes or for a purpose to ancillary to farm operations be exempt from legislation;
- that exempt vehicles used for a purpose other than that on which their exemption was based, be subject to the provision of the legislation;
- that all vehicles be registered prior to sale and that future sales of any registered vehicle be required to be reported within a specified time period;
- that municipalities be authorized to prohibit the use of motorized off-road recreational vehicles within the boundaries of the municipality except on the vehicle owner's or operator's property; and
- that municipalities be authorized to restrict the type of motorized off-road vehicles permitted in any area within the municipality's jurisdiction.

Conference Action:

TC-6

REQUEST TO ALLOCATE SUPPLEMENTARY FUNDING TO RURAL MUNICIPALITIES FOR PAVING ROADS WHERE WARRANTED (86-140-10)

From: Township of Adelaide

SECTION "A", Part I

Be it resolved that due to the high costs of gravel and salt or brine for maintenance of rural township roads, the Ministry of Transportation and Communications be petitioned to allocate supplementary funding to rural townships to allow paving (seal coating, tar and chip, and asphalt) on roads where the volume of traffic warrants it.

Committee Recommendation: Not Recommended.

Section Comment

Small Urban Executive Committee: Not Recommended.

Rural Executive Committee: Recommended.

Conference Action:

TC-7

ADEQUATE AND ACCURATE SIGNING OF HIGHWAYS IN NORTHWESTERN ONTARIO (86-140-7)

From: Northwestern Ontario Municipal Association

Whereas distances between communities in northwestern Ontario are greater than what visitors are accustomed to; and

Whereas adequate and accurate signing is essential in guiding visitors along northwestern Ontario highways;

Therefore be it resolved that the Ministry of Transportation and Communications adopt a policy of signing northwestern Ontario highways whereby:

a) at all junctions of major highways, the next centre on the highway, regardless of size, plus the next major centre (as determined by availability of medical and alternate transportation services) be posted along with the distances to be travelled to reach those communities; and

b) at the outskirts of each community a sign be posted showing the next major centre and the next community plus the distance to be travelled to reach those communities; and

c) that this policy be introduced on a regular basis whereby the new signs are erected as existing signs require replacement or the highway undergoes construction.

i.e. Junction of Highway 11 and Highway 17 at Nipigon

Traveller would see a sign showing:

Geraldton	159 km.
Beardmore	80 km.

Leaving Beardmore, travellers would see a sign showing:

Geraldton	74 km.
Jellicoe	24 km.

Travelling East on Highway 17

Travellers would see a sign showing:

Terrace Bay	103 km.
Rossport	65 km.

Leaving Rossport, travellers would see a sign showing:

Terrace Bay	38 km.
Schreiber	22 km.

Travelling West on Highway 17

Travellers would see a sign showing:

Thunder Bay	113 km.
Nipigon	2 km.

Leaving Nipigon, travellers would see a sign showing:

Thunder Bay	107 km.
Red Rock	21 km.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

TC-8

REQUEST TO REVIEW THE CURRENT SPEED LIMITS ON NORTHERN ONTARIO HIGHWAYS (86-140-8)

From: Northwestern Ontario Municipal Association

Whereas at the present time, the speed limit on the provincial highways in northern Ontario is set at 80 or 90 kilometres per hour; and

Whereas these present speed limits can be considered unrealistic, given the following concerns:

1. northern Ontario drivers have greater distances to travel than their southern Ontario counterparts;

2. these greater distances are through largely unpopulated areas where the traffic volume is low, thus reducing any perceived safety factor concern due to increased speed;

3. with advances in the energy efficiency of today's vehicles, the advantage of lower speeds for the reduction of energy consumption can no longer be considered of prime concern.

Now therefore be it resolved that the Ontario Minister of Transportation and Communications be petitioned to review the current speed limit policy and investigate the possibility of increasing the limits in northern Ontario.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

TC-9

REQUEST THAT ALL RAILROAD COMPANIES PLACE REFLECTORS ON SIDES OF BOXCARS (86-155-7)

From: Township of Rochester/Township of Tilbury West

Whereas due to the increased number of accidents occurring with motorized vehicles at railway crossings where there are no warning/safety devices;

Therefore be it resolved that the Association of Municipalities of Ontario deems it expedient that the Railway Transport Committee require that all railroad companies place reflectorized tapes on the total length on all sides of boxcars so that they are visible by the oncoming vehicular traffic.

Committee Recommendation: Recommended as amended by adding the phrase "railway rolling stock" and deleting the word "box-cars".

Section Comment

County and Regional Executive Committee: Recommended as proposed by the AMO Legislative and Resolutions Committee.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed as proposed by the AMO Legislative and Resolutions Committee.

Conference Action:

TC-10

INSTALLATION OF MECHANICAL SIGNAL DEVICES AND BARRICADES AT ALL RAILWAY CROSSINGS THROUGHOUT ONTARIO (86-140-5)

From: Village of Tottenham

Be it resolved that all railway crossings throughout Ontario have mechanical signal devices and barricades and the time frame for installation of such devices be considerably shortened.

Committee Recommendation: Not Recommended. See resolution "TC-9" which was recommended.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

TC-11

REQUEST THAT THE PROVINCIAL GOVERNMENT CHANGE ITS PRESENT POLICY WITH RESPECT TO MAINTENANCE OF CENTRE LINES ON ALL HIGHWAYS (86-140-12)

From: Town of Blind River

Whereas the Province of Ontario promotes various "safe driving" campaigns such as "Drinking & Driving", "Buckling Up" with seat belts, etc.; and

Whereas the Municipality of Blind River wholeheartedly supports these campaigns;

Be it resolved that the Ministry of Transportation and Communications be requested to better maintain centre lines (by painting) on all highways; and

Further that the present policy should be changed to once or twice yearly. (The end result is to further decrease traffic fatalities.)

Committee Recommendation: Recommended.

Conference Action:

TC-12

REQUEST TO UPGRADE THE E.B. EDDY FOREST ACCESS ROAD TO A PAVED CLASS V MINOR HIGHWAY LINKING HIGHWAYS 667 AND 144 (86-140-13)

From: Township of Michipicoten

Whereas travellers utilizing the E.B. Eddy Forest Access Road which connects Highways 667 and 144 can reduce over two hours travel time between Sudbury and Wawa; and

Whereas the E.B. Eddy Forest Access Road presently receives provincial financial assistance;

Now therefore be it resolved that the Minister of Northern Development and Mines and the Minister of Transportation and Communications be petitioned to upgrade the E.B. Eddy Forest Access Road to a paved class V minor highway linking Highways 667 and 144.

Committee Recommendation: Not Recommended.

Conference Action:

TC-13

REQUEST THAT THE PROVINCIAL GOVERNMENT ESTABLISH A TASK FORCE TO REVIEW ITS PRESENT POLICIES ON ACCESSIBILITY TO PUBLIC TRANSPORTATION (86-140-15)

From: City of Toronto

Whereas the existing provincial policy on transportation for disabled persons states that:

> "the varied interests and needs of the disabled could be better served through the provision of a parallel service rather than through the requirements that all classes of public transportation be made accessible;"

Whereas the Wheel-Trans service which is funded jointly by the province and Metro, currently fails to adequately meet the transportation needs of disabled persons in Metropolitan Toronto; and

Whereas since this provincial policy has been adopted, Canadian cities such as Edmonton and Calgary, and American cities such as Buffalo, Washington D.C., and San Francisco has constructed accessible rapid transit systems; and

Whereas many of the concerns of the province and the T.T.C regarding accessible transit have been disproved in the operating experiences of these accessible systems; and

Whereas changes to the Ontario Human Rights Code and the Charter of Rights have occurred since adoption of this policy; and

Whereas accessibility benefits a broad segment of society far beyond disabled persons; and

Whereas Metro Council is currently considering Plan 2011, a major expansion of the rapid transit system, at an estimated cost of $2.6 billion;

Therefore be it resolved that the Province of Ontario establish a task force to review its existing policies on accessibility to municipal rapid transit prior to final approval of the 2011 plan; and

Furthermore, that this task force include representatives from M.T.C., T.T.C., Metro Council, the disabled community, seniors, and other relevant organizations.

Committee Recommendation: Recommended as amended as follows:

SECTION "A", Part I

i) deletion of the second, fourth and seventh introductory clauses;

ii) the first operative clause to read:

"Therefore be it resolved that the Province of Ontario establish a task force to review its existing policies on accessibility to municipal rapid transit."; and

iii) deletion of the last operative clause.

Conference Action:

GENERAL

GEN-3

PERMISSIVE LEGISLATION TO ALLOW MUNICIPAL GOVERNMENTS TO OFFER SERVICES IN FRENCH OR ANY OTHER LANGUAGE IN THEIR MUNICIPALITY (86-068-1)

From: Township of Onondaga

Whereas most persons in Ontario are not of French-speaking origin, where in fact only 5.2 percent of the population is franco-phone; and

Whereas "where necessary" could be interpreted as one person's request for your municipal records to be provided in both English and French; and

Whereas council proceedings would therefore have to be produced in both languages; and

Whereas costs would be prohibitive to most municipalities; and

Whereas the resolution on bilingualism was presented at the 1985 A.M.O. Convention late Monday afternoon, after many delegates were not present;

Therefore be it resolved that the Premier of Ontario and the Minister of Municipal Affairs with responsibility for Francophone Affairs, be put on notice that the English language alone is sufficient to meet the need of most local councils, and that in areas where French or any other language is required to correctly service a municipality, that the municipal council may, if they so desire, supply such information by passing a bylaw in council.

Committee Recommendation: Not Recommended.

Supplementary Information: The Minister of Municipal Affairs with responsibility for Francophone Affairs has introduced a Government Bill. Bill 8, An Act to provide for French Language Services in the Government of Ontario, received first reading on May 1st, 1986.

The Act entitles the public to communicate with and receive available services from provincial government agencies in French. This will be phased in during a three year period and applies to central or head offices of government agencies and to their local offices in areas designated by the Schedule. It also applies to public service agencies that are designated by the regulations, whether during or after the three year period.

The Act does not apply to municipalities or local boards.

The Act also requires the current public general statutes of Ontario to be translated into French by the end of 1991 and thereafter all the public Bills of the Assembly to be in both languages. Selected regulations would be translated as well.

The Ontario French Language Services Commission is established to recommend improvements in the delivery of French language services and to recommend changes in implementation plans during a three year period. At the end of that time, the Commission is dissolved.

Section Comment

County and Regional Executive Committee: Not Recommended.

Large Urban Executive Committee: Not Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Conference Action:

GEN-4

PROVINCIAL/MUNICIPAL CONSULTATION PROCESS PRIOR TO IMPLEMENTATION OF CHANGES TO LEGISLATION OR MINISTRY OPERATION (86-060-7)

From: Northwestern Ontario Municipal Association

Whereas the Association of Municipalities of Ontario has previously requested that Ministries of the Ontario government consult with mun-

icipalities concerned on implementation of changes to present legislation; and

Whereas the present government appears to be falling into their predecessors' footsteps;

Therefore be it resolved that the Ministries of the Ontario government be petitioned to adopt a policy of consultation by written communication and formal meetings with areas concerned prior to implementation of changes to legislation, or Ministry operation.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

GEN-5

REQUEST THAT ALL MUNICIPALITIES PLANT EFFECTIVE AND PROPER WINDBREAKS ALONG ROADS (86-140-9)

From: Rural Section (ROMA) Executive Committee

Whereas windbreaks aid in soil conservation; and

Whereas windbreaks can improve driving safety through the reduction of drifting snow and related whiteouts;

Therefore be it resolved that all levels of municipalities consider planting effective and proper windbreaks along roads (including freeways) where the right of way limit is sufficient to allow for same.

Committee Recommendation: Not Recommended.

Conference Action:

GEN-6

SUPPLYING OF NURSERY STOCK FOR ROADSIDE PLANTING (86-115-3)

From: County of Huron

Whereas for many years, the Ministry of Natural Resources has supplied municipalities with nursery stock for roadside planting at $1.00 per whip; and

Whereas the Ministry of Natural Resources will no longer be supplying nursery stock to municipalities after January 1, 1986; and

Whereas the County of Huron as well as many other municipalities plant 1,000 to 1,500 trees each year under our tree planting program; and

Whereas the cost for each municipality to establish a nursery would be prohibitive; and

Whereas the cost of the roadside planting program will be increased by eight to ten times resulting in a cutback in roadside planting due to the increased cost;

Therefore be it resolved that the Minister of Natural Resources be requested to reconsider this proposed change and continue to provide municipalities with nursery stock for roadside planting.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Recommended. Will be debated at the fall 1986 Annual Meeting of the Section.

Large Urban Executive Committee: Recommended.

Rural Executive Committee: At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

GEN-7

REQUEST FOR THE PROVINCIAL GOVERNMENT TO ENCOURAGE CONTROLLED TIMBER HARVESTING ON CONSERVATION PROPERTIES (86-115-7)

From: Township of Norwich

Whereas the Municipality of Norwich has been increasingly burdened by levies from the Long Point Region Conservation Authority as well as two other authorities, as have other municipalities throughout these water sheds; and

Whereas other municipalities throughout Ontario are no doubt experiencing the same burdens;

Be it resolved that the Ministry of Natural Resources be petitioned to encourage controlled timber harvesting to take place on conservation properties where commercially feasible providing additional revenue.

Committee Recommendation: Not Recommended.

Conference Action:

GEN-8

REQUEST FOR THE PROVINCIAL GOVERNMENT TO DEVELOP A NEW POLICY STATEMENT REGARDING "THE FARMER'S RIGHT TO FARM" FOR PROSPECTIVE "RURAL PURCHASERS" (86-030-7)

From: Township of East Hawkesbury

Be it resolved that the Government of Ontario and the Association of Municipalities of Ontario be petitioned to look into a new Policy Statement re: "The Farmer's Right to Farm" whereby it would be compulsory for the Real Estate dealers and the solicitors to inform the prospective "rural purchasers" of the "Farmer's Right to Farm" including explanatory pamphlets explaining what "rural life" is all about; what new owners can expect such as environment, fire control, animal control, noises, and rural life in general in order that problems can be alleviated for all concerned.

Committee Recommendation: Recommended.

Section Comment

Rural Executive Committee: Recommended.

Conference Action:

GEN-9

REQUEST THAT THE FEDERAL GOVERNMENT REINSTATE THE FORMER POLICY OF PERMITTING FEDERAL REGIONAL VETERINARIANS TO CO-SPONSOR THE ANTI-RABIES VACCINATION CLINICS (86-155-15)

From: United Counties of Leeds and Grenville

Be it resolved that the Minister of Agriculture be petitioned to reinstate the former policy of Agriculture Canada whereby the federal regional veterinarian was formerly permitted to become involved to sponsor the Anti-Rabies Vaccination Clinics throughout the counties, which had been performed every five years through the Veterinarian Inspection Department of Agriculture Canada.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Not Recommended.

Conference Action:

Part II

Resolutions within this Part are those which concern general, social and economic issues not within the jurisdiction of municipal government.

ENERGY

EN-1

REQUEST THAT THE ONTARIO CABINET AND ONTARIO HYDRO REVIEW THE RATE STRUCTURE OF ONTARIO HYDRO (86-075-3)

From: Federation of Northern Ontario Municipalities

Whereas the cost of hydro power represents a large component of industrial costs; and

Whereas the operating costs of a particular industry at a given location has a great bearing as to whether additional capital expenditures will be expended there; and

SECTION "A", Part II

Whereas it appears that both initial capital costs and operating hydro power rates charged by Hydro Quebec are much more favourable to industry than those charged by Ontario Hydro; and

Whereas such discrepancies in hydro power have had in the past, and could have in the future, a determining influence as to whether conversions, upgrading, expansion and/or new industrial development will take place in Ontario;

Now therefore be it resolved that the Ontario Cabinet and Ontario Hydro be petitioned to review the rate structure of Ontario Hydro to make their rates more competitive with those of other provinces, in particular, Quebec Hydro.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

EN-2

PRICE REGULATION OF ALL HEATING AND TRANSPORTATION FUELS WITHIN THE PROVINCE OF ONTARIO (86-075-4)

From: Northwestern Ontario Municipal Association

Whereas the Ministry of Consumer and Commercial Relations through the Liquor Control Board of Ontario regulates the distribution and prices of all beer, wine and spirits sold within the Province of Ontario; and

Whereas the prices for beer, wine and spirits sold through the Liquor Control Board stores and Brewers Retail stores, and through company-owned private stores are the same in northern Ontario as they are in southern Ontario;

Therefore be it resolved that the Ministry of Energy enact legislation to regulate the prices of all heating and transportation fuels so that the same prices will be paid by the dealer regardless of their place of business within the Province of Ontario.

Committee Recommendation: Not Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

FINANCE

FIN-18

ONTARIO SALES TAX ON FRESH FRUITS AND JUICES (86-145-3)

From: Town of Richmond Hill

Be it resolved that the Ontario Minister of Treasury and Economics be requested to review the Ontario Sales Tax legislation and to give consideration to exempting museum, hospital, school and other institutional cafeterias and snack bars from the provincial sales tax of seven percent on fresh fruit and juices as provided under item 1.19 of the Retail Sales Tax Act for retail stores.

Committee Recommendation: Not Recommended.

Conference Action:

FIN-19

REDUCTION IN THE FEDERAL AND PROVINCIAL TAX LEVY ON GASOLINE (86-145-5)

From: Town of Parry Sound

Whereas numerous businesses in many parts of Ontario are heavily dependent on the motoring tourist trade during our short summer season for their survival; and

Whereas the total federal and provincial tax levy on a litre of gasoline almost doubles the initial cost of said product to the motorist;

Therefore be it resolved that the appropriate departments of the federal and provincial governments be petitioned to lower their tax share of the aforementioned product to ensure the economic survival of these areas.

SECTION "A", Part II

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Not Recommended.

Northern Ontario Section (FONOM/NOMA): At the 1986 Northwestern Ontario Municipal Association Annual Meeting, endorsed.

Rural Executive Committee: Not Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed as amended as follows:

i) first introductory clause to read "Whereas most businesses in many parts of Ontario are heavily ..."

ii) operative clause to read "... be petitioned to lower their tax share of the forementioned product to ensure economic survival."

Conference Action:

FIN-20

REQUEST FOR THE PROVINCIAL AND FEDERAL GOVERNMENTS TO INVESTIGATE THE RISING COST OF ASPHALT EMULSION
(86-155-20)

From: Regional Municipality of Haldimand-Norfolk

Be it resolved that the federal Minister of Energy be requested to investigate the rising cost of asphalt emulsion, at a time when the price of crude oil has been falling steadily; and

Further that the provinical Minister of Consumer and Commercial Relations be requested to also inquire into the pricing policies of asphalt.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HEALTH AND SOCIAL SERVICES

HSS-41

AMENDMENT TO THE INCOME TAX ACT AND REGULATIONS REGARDING DEDUCTIONS FOR CHILD CARE EXPENSES (86-155-18)

From: City of Windsor

Whereas accessible, high quality, affordable child care is a Canadian family issue critical to the social and economic progress of the family; and

Whereas high quality licenced child care is used predominantly by low income parents who qualify for subsidy and by high income earners who can afford it, to the exclusion of the middle income earners; and

Whereas the average cost for all types of preschool age care in Windsor was $3,437. in 1985; and

Whereas two-parent families with average incomes could claim only $550. as a federal tax benefit, providing only 16 percent of the average annual cost of care for preschool aged children, in 1985; and

Whereas an estimated 4,688,600 Canadian children aged twelve and under required non-parental care in 1984; and

Whereas Statistics Canada estimated that in 1981 child care expenses were claimed as an income tax deduction for less than half the children who were eligible because of the restrictive nature of the child care expense deduction; and

Whereas the federal government provides only limited financial support for child care by means of the child care expense deduction by:

a) limiting the maximum allowable deduction to $2,000. per child under fourteen, and $8,000. per family; and

b) requiring that in a two-parent household, the deduction must be claimed by the spouse with the lower income; and

c) requiring that the deduction claimed not exceed two-thirds of the claimant's cleared income; and

Whereas the lack of action and initiative on the part of the federal government is contributing to the inaccessibility of high quality child care for Canadian families;

Therefore be it resolved that the Minister of Finance Canada be requested to amend the Income Tax Act and Regulations to:

a) allow actual child care expenses to be included as child care deduction;

b) allow child care expenses for all children under age fourteen in any one family;

c) allow the parent with the highest income to claim the expense, to ensure the maximum tax benefit;

d) remove the limitation that stipulates that the deduction claimed must not exceed two-thirds of the claimant's earned income; and

e) include a tax incentive to in-home child care providers to encourage the reporting of child care income, to increase the tax base and to identify these providers so that parents can claim child care expenses paid to them as their own child care expense.

Committee Recommendation: Not Recommended.

Section Comment

Large Urban Section: At the 1986 Annual Meeting of the Section, referred to the incoming Executive Committee for further review.

Conference Action:

HSS-42

REQUEST FOR THE FEDERAL GOVERNMENT TO FULLY INDEX THE FAMILY ALLOWANCE AND CHILD TAX CREDIT (86-155-13)

From: Regional Municipality of Hamilton-Wentworth

Whereas the federal government is moving to partially de-index family allowances and child tax credits within the next two weeks; and

Whereas the government admits its family benefits plan would take $15 million this year and $40 million next year from Canadian families; and

Whereas accelerating cutbacks in child benefits will reach $600.00 annually by 1990; and

Whereas a National Council of Welfare predicts that by 1990 even the poorest families will lose money with the government plan; and

Whereas a National Council of Welfare study also shows that poverty in Canada has increased for four straight years;

Therefore be it resolved that the federal government be urged to fully index the family allowance and child tax credit.

Committee Recommendation: Not Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Conference Action:

HSS-43

AMENDMENT TO THE ANNUAL INCOME TAX RETURN TO PERMIT DISABLED PERSONS TO DEDUCT FULL COST OF ALL ORTHOPEDIC APPLIANCES PURCHASED (86-155-16)

From: Northwestern Ontario Municipal Association

Whereas many disabled persons require orthopedic applicances to enable them to live full, active lives and obtain meaningful employment; and

Whereas if disabled persons were unable to obtain employment, an increased burden would be placed on Canada's social service programs;

Now therefore be it resolved that the federal and provincial governments be petitioned to amend the annual income tax return to permit disabled persons to directly deduct from their income, the full cost of all orthopedic appliances purchased from their income.

Committee Recommendation: Recommended.

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

LAW AND ENFORCEMENT

LE-4

REINSTATEMENT OF CAPITAL PUNISHMENT (86-155-10)

SECTION "A", Part II

From: Algoma District Municipal Association

Whereas the Association of Municipalities of Ontario feels that the reintroduction of capital punishment will act as a deterrent and will help protect our police men and women who are called upon to protect us; and

Whereas this punishment to be carried out only if guilt is proven beyond a reasonable doubt;

Therefore be it resolved that the federal government be requested to re-instate capital punishment for first degree murder.

Committee Recommendation: Not Recommended. However, the Committee recommends re-affirmation of the following resolution as endorsed by the 1985 AMO Annual Conference:

"Whereas the wrongful and intentional killing of human beings is increasingly becoming a cause of serious concern; and

Whereas it is believed that the application of capital punishment would serve as a deterrent to such happenings;

Therefore be it resolved that the Association of Municipalities of Ontario strongly recommend to the Government of Canada to immediately undertake a complete review of this matter, recognizing public opinion and addressing the need to reinstate capital punishment as an option within the Criminal Justice System."

Section Comment

County and Regional Executive Committee: Not Recommended. The Executive Committee recommends re-affirmation of a resolution endorsed at the 1985 Annual Meeting of the Section, operative clause which reads:

"Therefore be it resolved that the Association of Municipalities of Ontario strongly recommend to the Government of Ontario to immediately undertake a complete review of this matter, recognizing public opinion and addressing the need to reinstate capital punishment as an option within the Criminal Justice System."

Northern Ontario Section (FONOM/NOMA): At the 1986 Federation of Northern Ontario Municipalities Annual Meeting, endorsed.

Conference Action:

LE-5

"REPORT OF THE SPECIAL COMMITTEE ON PORNOGRAPHY AND PROSTITUTION" REGARDING PORNOGRAPHIC STANDARDS AND CONTROL PROGRAMS IN ONTARIO (86-155-21)

From: District Municipality of Muskoka

Whereas the Government of Ontario is currently considering a Report of the Special Committee on Pornography and Prostitution; and

Whereas it is important that pornographic standards and control activities effectively reflect the needs and standards of the communities in Ontario;

Now therefore be it resolved that the Association of Municipalities of Ontario be directed to write to the respective responsible authorities in the Governments of Canada and Ontario as follows:

1. commending the Report of the Special Committee on Pornography and Prostitution for the positive steps it recommends to restrict child and sexually violent pornography, as well as the mailing of unsolicited pornographic material; and

2. recommending that controls on pornographic materials, as outlined in the Special Committee Report (i.e. recommendation #5), be extended significantly. Since all three tiers are obscene, related material should not be available to anyone, regardless of age, in either explicit or implicit form. On the same basis, the defence of artistic merit should not be allowed, even in the implicit form of the tier three category; and

3. proposing that penalties associated with pornographic offences be established and maintained at levels where they serve as an effective deterrent to those involved in the production and distribution of pornographic materials; and

4. requesting that the Ontario Film Review Board have all the powers necessary to maintain established control standards on an ongoing basis; and

5. encouraging the extension and enrichment of police control programs and activities in Ontario to a level which provides effective monitoring and control of pornography across the province consistent with community standards.

Committee Recommendation: Not Recommended.

Conference Action:

LE-6

AMENDMENT TO THE CRIMINAL CODE RELATING TO SEXUAL ABUSE OF CHILDREN AND PORNOGRAPHIC MATERIALS (86-155-22)

From: District Municipality of Muskoka

Whereas the Government of Canada has introduced legislative amendments to the Criminal Code in respect of sexual abuse and exploitation of children and of the control of pornographic materials; and

Whereas these proposed amendments relating to child abuse and to child and adult pornography more closely reflect the standards of this community than do existing standards and certain of the recommendations of the Fraser Commission;

Now therefore be it resolved that Association of Municipalities of Ontario be directed to write to the Minister of Justice commending the government on their action and urging quick passage of the existing Bill in its present form.

Committee Recommendation: Not Recommended.

Conference Action:

LE-7

SALE OF ALCOHOLIC SODA POP TO MINORS (86-050-2)

From: City of Owen Sound

Whereas alcoholism is a major health and social problem which should be of concern to all levels of government;

Therefore be it resolved that the Minister of Consumer and Commercial Relations be requested to ban the sale in Ontario of alcoholic soda pop to minors; and

Furthermore that the Minor's Protection Act, R.S.O. 1980, C.293, be expanded to make it an offence to sell any beverage to minors which contains alcohol and that all these beverages which are sold in retail stores be clearly labeled alcoholic.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Conference Action:

NORTHERN ONTARIO

NO-3

REQUEST TO UNDERTAKE A STUDY IN RELATION TO THE IRON AND BASE MINE INDUSTRIES IN ONTARIO (86-120-2)

From: Federation of Northern Ontario Municipalities

Be it resolved that the Ministry of Northern Development and Mines undertake a study in relation to the iron mine industry and the remainder of all base metal mines in Ontario and that a member of this Association be part of the study team.

Committee Recommendation:

Section Comment

Northern Ontario Executive Committee: Recommended.

Conference Action:

SAFETY

S-2

INTRODUCTION OF LEGISLATION TO ENHANCE BOATING SAFETY (85-155-30)

From: District Municipality of Muskoka, as deferred from the 1985 AMO Annual Conference

SECTION "A", Part II

Whereas boating safety on the lakes in Muskoka is a mater of importance to the District Municipality of Muskoka;

Be it resolved that the Association of Municipalities of Ontario requests legislative consideration of the following items:

1. That a legislative basis be worked out in order that the provisions of the Provincial Offences Act, Chapter 400, R.S.O. 1980 will be made applicable to boating offences pursuant to the Canada Shipping Act, Chapter S-9, R.S.C. 1970, Small Vessels Regulations so that police marine staff time may be more effectively employed.

2. That legislation be implemented to make it mandatory for boats requiring registration to be covered by public liability insurance.

3. That legislation be implemented to require that at the time of sale or resale that boats requiring registration obtain a certificate that the boat is seaworthy and is equipped in compliance with the Small Vessels Regulations of the Canada Shipping Act.

4. That legislation be implemented to require that boats requiring registration are equipped with running lights equal to the American Boat and Yachts Council Standard #16. This may be achieved by:

   a) requiring new boats to be equipped with such lights;

   b) requiring light packages retailed in Canada to meet this standard;

   c) requiring boats actually operated after dark to be equipped with such lights.

5. That speed regulations be extended to cover further Muskoka waters, namely that a nine kilometre/hour limit within 30 metres of shore be placed on the Lake of Bays, Lake Vernon, Fairy Lake, Mary Lake, and Penninsula Lake.

6. That consideration be given to a uniform speed limit similar to Item 5 being extended to <u>all</u> Muskoka navigable waters unless otherwise specifically regulated.

Committee Recommendation:

Conference Action:

GENERAL

GEN-10

CANADA/UNITED STATES OF AMERICA FREE TRADE NEGOTIATIONS (86-155-12A)

From: Township of Sandwich West/Township of Clarence/Federation of Northern Ontario Municipalities

Whereas the Canadian Federal Government has entered into negotiations with the United States of America, on Free Trade between our two countries; and

Whereas many municipalities in Ontario are one industry communities and must rely on that industry for their livelihood;

Be it resolved that the federal government be requested to only enter into enhanced trade negotiations with the United States of America as long as safeguards are maintained to preserve:

- o existing social programmes such as medicare;
- o environmental legislation;
- o the Canada-U.S. Automotive Products Trade Agreement;
- o our cultural identity;
- o our farming, fishing, forestry and mining industries; and
- o the bilingual nature of Canada;

Further, if the above cannot be preserved, that the establishment of a free trade agreement with the United States of America be halted.

Committee Recommendation: Recommended.

Conference Action:

GEN-11

REQUEST FOR THE FEDERAL GOVERNMENT TO HALT BILATERAL TALKS ON "FREE TRADE" WITH THE UNITED STATES (86-155-12)

From: City of Windsor/City of Welland

Whereas the Government of Canada is pursuing the establishment of a free trade agreement with the United States; and

Whereas such a free trade agreement is expected to cause severe and widespread dislocation of industries, as well as placing hundreds of thousands of jobs in jeopardy; and

SECTION "A", Part II

Whereas the negotiations for a free trade agreement will include demands from the United States for the elimination or weakening of vital social programs such as medicare, environmental legislation and unemployment insurance; and

Whereas U.S. demands for a "level playing field" will mean an end to Canadian government programs which encourage regional development and job creation; and

Whereas a free trade agreement will seriously limit Canada's ability to make its own economic and political decisions;

Therefore be it resolved that the Government of Canada be urged to halt any bilateral talks on free trade with the United States; and

Furthermore that the Association of Municipalities of Ontario endorse the anti-free trade campaign presently being conducted by the United Auto Workers (U.A.W.) and other trade unions.

Committee Recommendation: Not Recommended. See resolution "GEN-10" which was recommended.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

GEN-12

PUBLIC MEETINGS ON FREE TRADE (86-155-12C)

From: City of Brampton

Whereas the Government of Canada is pursuing the establishment of a free trade agreement with the United States; and

Whereas no mandate has been provided by the electorate for the government to enter into a free trade agreement with the United States; and

Whereas there has been no vehicle provided for the people of Canada to express their views in support or in opposition to free trade; and

Whereas there is a major concern among the people of Canada that they do not have sufficient information about the positive or negative effects of free trade on themselves or their communities;

Therefore be it resolved that the Federal Government of Canada be urged to convene a series of public meetings where all Canadians may exercise their democratic right to debate the issue of a free trade agreement with the United States and its effects.

Committee Recommendation: Not Recommended.

Conference Action:

GEN-13

REQUEST THE FEDERAL GOVERNMENT TO CONSIDER APPLYING ECONOMIC SANCTIONS AGAINST THE GOVERNMENT IN SOUTH AFRICA (86-160-4a)

From: City of Windsor

Whereas the modern black leadership, for example, Bishop Tutu, is convinced that the only possible peaceful way to achieve true democracy in South Africa is through the application of economic sanctions;

Be it resolved that the federal government be requested to consider applying immediate and full economic sanctions against the government in South Africa.

Committee Recommendation: Recommended.

Conference Action:

GEN-14

REQUEST THAT THE ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM MAKE NO FURTHER INVESTMENTS IN COMPANIES DOING BUSINESS IN SOUTH AFRICA (86-160-4)

From: Municipality of Metropolitan Toronto

Whereas the Union of South Africa through its system of apartheid operates a society bases on institutionalized racism, repression and violence that is anathema to Canadians and an affront to all humanity; and

Whereas nine percent of the investment portfolio of the Ontario Municipal Employees Retirement System (O.M.E.R.S.) is placed with companies doing business in South Africa; and

Whereas OMERS has investments totalling $450 million in companies with assets in South Africa;

Therefore be it resolved that the Ontario Municipal Employees Retirement System be urged to divest itself of its investment portfolio in such companies and establish a policy that OMERS will make no further investments in companies that do business in South Africa.

Committee Recommendation: Recommended.

Conference Action:

GEN-15

REJECTION OF THE OPERATION OF CABOOSELESS TRAINS (86-160-2)

From: Northwestern Ontario Municipal Association/Federation of Northern Ontario Municipalities, as deferred from the 1985 AMO Annual Conference

Whereas trains today have increased two to three times in length and operate with three-fifths of the crews that once manned these trains;

Be it resolved that the Association of Municipalities of Ontario is against the removal of cabooses on trains by the national railways due to reasons of safety.

Committee Recommendation: Not Recommended.

Conference Action:

GEN-16

"GREAT LAKES WATER QUALITY AGREEMENT OF 1978" (86-160-3)

From: Township of Pittsburgh, as deferred from the 1985 AMO Annual Conference

Whereas the Great Lakes Basin comprises the world's largest fresh water ecosystem and sustains the life and livelihood of millions of

people and the quality of the living environment throughout the Basin and beyond; and

Whereas the restoration and conservation of the Great Lakes Basin Ecosystem is of primary importance; and

Whereas the implementation and strengthening of the Great Lakes Water Quality Agreement of 1978 are essential for the future well-being and health of the people and the environment in the Great Lakes Basin; and

Whereas after the International Joint Committee's Third Biennial Report to the Governments of the United States and Canada on Great Lakes Water Quality, said governments may review and subsequently revise the Agreement; and

Whereas at its two first meetings, Great Lakes United adopted numerous resolutions pertaining to Great Lakes water quality; and

Whereas Great Lakes United has reviewed both the language of the Agreement and its implementation and finds certain aspects which may need to be revised or strengthened;

Now therefore be it resolved that the following recommendations with respect to the Agreement, as well as such others as shall be developed by task forces of Great Lakes United, be brought to the attention of the International Joint Commission, the governments of the United States and Canada, the Governors and Premiers of Great Lakes states and provinces, members of Congress and Parliament, the legislators of said states and provinces, and other interested parties; and

Furthermore the recommendations of Great Lakes United Water Quality Task Force on the 1978 Great Lakes Water Quality Agreement are as follows:

1. The Parties should adopt an intergrated approach to protecting both water quality and water quantity in the Great Lakes Basin.

2. The IJC strengthen its commitment to an ecosystem approach by developing specific programs to consider the interactions between environmental components, as well as the effects of chemical and other contaminants on those interactions.

3. The existing Agreement's policies for the "virtual elimination" and "zero discharge" of persistent toxic substances should be retained in the Agreement, but they should be clarified.

4. The Great Lakes states and provinces and non-government bodies should be urged to develop environmentally sound alternative methods for the disposal of hazardous wastes. Great Lakes United also encourages the Great Lakes states and provinces to follow the lead of New York State in implementing a phased reduction of the landfilling of hazardous organic wastes, as an initial step towards better policies that

do not degrade the environmental quality of the Great Lakes Basin.

5. The IJC and the Parties enter into discussions for the purpose of including provisions to protect the Great Lakes Ecosystem from any potentially adverse effects resulting from the transportation and/or storage of radioactive wastes.

6. The IJC should consult with the Parties as soon as possible to resolve the problems associated with the designation of limited use zones.

7. While GLU opposes the use of limited use zones, if limited use zones are to be designated, the responsible regulatory agency should state what specific uses are to be restricted.

8. Clauses stating that flow augmentation should not be considered as a substitute for adequate treatment of point source discharges should be retained in the Agreement.

9. The IJC should initiate studies to further identify sources of atmospheric pollutants in both Canada and the U.S. and also implement appropriate remedial actions to reduce atmospheric emissions.

10. The Parties should enter into discussions for the purpose of formulating a binational air quality agreement which would address the issue of reducing emissions of atmospheric pollutants.

11. The Parties should enter into discussions for the purpose of including provisions for land use in any revised Agreement. These should be directed at the reduction of non-point sources of pollution and related issues. This should include the reduction of sediment loadings through erosion controls.

12. The IJC should urge the Parties to ensure that adequate funding is available for government efforts to reduce non-point sources of pollution, including erosion controls.

13. Under the auspices of the IJC, the Parties and Great Lakes states and provincial governments should enter into discussions for the purpose of developing common, legally enforceable standards for discharge of oil, sewage, other wastewater, and all hazardous polluting substances from vessels using the waters of the Great Lakes.

14. Guidelines for the confined disposal of dredged materials should be established by the Dredging Subcommittee.

15. The ICJ, the Parties and the Great Lakes states and provincial governments should evaluate the effects of all proposed navigation projects and dredging projects, taking into account any potential impacts on both Great Lakes water quality and

on shorelines around the Great Lakes, and in particular, wetland environments.

16. The Great Lakes Water Quality Agreement should include provisions for the protection of the remaining wetlands in the Great Lakes Basin.

17. The Great Lakes states and provincial governments should be encouraged to develop a system of tax relief for owners of wetlands, to discourage future development of such areas.

18. The Parties should undertake a detailed examination of the extent of sediment contamination as well as the relationship between sediment chemistry, bioassay, food chain and human exposure to sediment-bound contaminants.

19. The role of human health considerations should be strengthened in the Agreement.

20. Intergrated Great Lakes morbidity and mortality registries should be developed for all residents living within the drainage basin.

21. The Parties should implement provisions contained in Annex 12 of the Agreement, which specify that the Parties will develop an early warning system for environmental contaminants which will include a biological tissue bank.

22. The Parties should enter into discussions for the purpose of including drinking water quality and treatment in any revised Agreement. Specific programs could include:

    a) an inventory of drinking water treatment methods
    b) an inventory of monitoring conducted on drinking water
    c) research on improved treatment methods
    d) research on the relationship between drinking water and human health
    e) an inventory of drinking water standards and guidelines

23. The IJC and the Parties should consider including the protection of the quality of groundwater supplies in the Agreement. This should include provisions for groundwater research and monitoring programs, preventive programs and programs for the remediation of already contaminated groundwater.

24. Any revised Agreement should be expanded to include a full consideration of all impacts of change in the water levels and flows of all of the Great Lakes and connecting waterways. This should include any impacts on water quality, and any impacts on the shorelines and wetlands of the Great Lakes.

25. Any revised Agreement should state clearly that it applies to all of the Great Lakes, their connecting waterways and the St. Lawrence River, as far downstream as Trois Riviere. It

should also recognize that all Great Lakes states and provinces should be consulted when proposals for changes in Great Lakes flows and diversions are being considered.

26. Any revised Agreement should contain provisions to consider the potential impacts of changes to water levels and flows.

27. The Parties should enter into discussions for the purpose of including specific Articles in the Agreement that clearly provide for public information about and participation in Agreement activities.

28. The Parties should commit themselves to establishing a process by which the public can participate in the review of the 1978 Great Lakes Water Quality Agreement.

29. The IJC should undertake a review of all environmental standards, particularly those governing water quality, used throughout the Great Lakes Basin and assess them in the light of the goals and objectives contained in the 1978 Agreement or any revised Agreement.

30. The Parties should enter into discussions for the purpose of ensuring that all new environmental standards proposed by Great Lakes states or provinces, and in particular water quality standards, should be reviewed by the IJC prior to adoption and implementation, so that they can be assessed in terms of their compliance with the goals and objectives contained in the 1978 Agreement.

Committee Recommendation: Recommended.

Conference Action:

GEN-17

REQUEST FOR THE PROVINCIAL GOVERNMENT TO PROMOTE AND ENCOURAGE INDUSTRY TO LOCATE IN TOBACCO GROWING AREAS (86-095-1)

From: County of Oxford

Whereas the local economy of the County of Oxford, the County of Brant, the County of Elgin, the County of Middlesex and the Regional Municipality of Haldimand-Norfolk has been negatively affected by the decline in the tobacco industry; and

Whereas this decline is affecting not only the farm community in the tobacco growing areas, but also the numerous small businesses serving the tobacco growing industry; and

Whereas other types of industry have not located in the area in sufficient numbers to provide the employment opportunities to off-set the impact of the decline in the tobacco industry;

Therefore be it resolved that the Ontario Treasurer and the Minister of Industry, Trade and Technology be petitioned to take th necessary steps to promote and encourage industry to locate in the tobacco growing area and to meet with the heads of council of the affected municipalities to develop a strategy to achieve the objective of creating the necessary employment opportunities.

Committee Recommendation: Recommended.

Section Comment

County and Regional Executive Committee: Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Not Recommended.

Conference Action:

GEN-18

OPPOSITION TO THE EXPORT OF "TRITIUM" BY ONTARIO HYDRO
(86-155-14)

From: Township of South Crosby

Whereas tritium is an important component of nuclear weapons; and

Whereas Ontario Hydro has made application to obtain a federal licence to export tritium;

Now therefore be it resolved that the Association of Municipalities of Ontario opposes the export of tritium.

Committee Recommendation: Not Recommended.

Section Comment

Rural Executive Committee: Not Recommended.

Conference Action:

NOTES

Section "B"

The Legislative and Resolutions Committee recommends that resolutions in this Section not be debated individually as they have already been addressed either by resolution or by major policy positions adopted by the Board of Directors and have been submitted to the provincial and/or federal governments.

Part I

ADMINISTRATION AND LEGISLATION

AL-13

AMENDMENT TO THE EMERGENCY PLANS ACT, 1983 TO ALLOW "COUNTY GOVERNMENTS" TO DEVELOP EMERGENCY PLANS
(86-130-2)

From: County of Wellington

Whereas the Legislative Assembly for the Province of Ontario passed "An Act to provide for the Formulation and Implementation of Emergency Plans" which received consent June 9, 1983 and is known as the Emergency Plans Act, 1983; and

Whereas 3-(1) states:

> "The council of a municipality may pass a bylaw formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency"; and

Whereas the act defines "municipality" as a city, town, village, township and improvement district and includes a district, regional and metropolitan municipality and the County of Oxford; which does not recognize a traditional county as being an authority for formulating an emergency plan; and

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Whereas many local municipalities do not have the resources to develop effective emergency plans and those that do could be faced with overlapping jurisdictions which would make co-ordination of activities and authority extremely difficult in the event of any major disaster; and

Whereas the County of Wellington had to be greatly involved both technically, financially and in supplying manpower and equipment following the tornado which passed through the area on May 31, 1985;

Now therefore be it resolved that the Solicitor General be petitioned to change the legislation relating to Emergency Plans to include "county" in the definition Section 1(k) to read:

> "'municipality' means a city, town, village township and improvement district and includes a district, county, regional and metropolitan municipality and the County of Oxford."

Supplementary Information: The Association of Municipalities of Ontario, in its Report 63 "Response to the Discussion Paper on Proposed Emergency Planning Legislation" (November, 1981), recommended in part that "county governments" be included in the definition of "municipality" to provide legislative authority with respect to the formulation and implementation of emergency plans."

The Association reaffirmed its previous position once again in a submission to the former Minister of Municipal Affairs and Housing, in response to the introduction of Bill 2 - "An Act to Provide for the Formulation and Implementation of Emergency Plans" in a communication dated June 2nd, 1983.

Section Comment

County and Regional Executive Committee: Recommended. Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed.

AL-14

AMENDMENT TO THE MUNICIPAL ACT REGARDING TEMPORARY ROAD CLOSINGS FOR CONSTRUCTION AND MAINTENANCE
(86-060-5)

From: City of Cambridge

Be it resolved that the Minister of Municipal Affairs be petitioned to amend the Municipal Act, Section 208(43) to allow municipal councils to delegate temporary road closing for construction and maintenance purposes for periods up to 30 days to the municipal engineer, or person designated by council.

Supplementary Information: The Association has stated that the present legislation does not permit temporary road closures for constuction activities performed by agencies such as Bell Telephone, gas, hydro, water, etc. except by municipal bylaw. Often in most emergency situations, it is impossible to obtain the necessary bylaw prior to commencing work. Municipal liability is impacted by inadequate legislation.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed.

ASSESSMENT AND TAXATION

AT-17

AMENDMENT TO THE ASSESSMENT ACT TO PROVIDE FOR A DIFFERENTIATION BETWEEN "IMPROVEMENTS" AND "REPAIRS, AND MAINTENANCE" (86-125-10)

From: City of Windsor, as deferred from the 1985 AMO Conference

Whereas Section 18 of the Assessment Act stipulates that all properties are to be assessed at market value; and

Whereas most improvements made to properties affect their market value; and

Whereas many improvements, which may be referred to as maintenance and repairs do not affect the market value, ie.

1. painting and decorating
2. landscaping
3. minor interior renovations
4. new roof
5. new siding (except brick veneer)
6. fences
7. awnings

9. planter boxes
10. uncovered patios
11. most above ground pools
12. window air conditioners; and

Whereas to withhold any building permits from the province would prevent the assessors from keeping assessments up to date and would also create a greater number of inequities than presently exist in the assessments; and

Whereas all municipalities are dependent upon the assessment base for tax revenue, those municipalities with little or no construction of new buildings would be seriously affected; and

Whereas Section 64 of the Assessment Act does not differentiate between "improvements" and "repairs and maintenance" which also causes inequities to filter into the assessment base;

Therefore be it resolved that the Minister of Treasury and Revenue be requested to amend Section 64 of the Assessment Act as follows to provide for a differentiation between "improvements" and "repairs and maintenance":

> "Section 64: No amendment shall be made to the assessment or collector's roll pursuant to clause 33(a) for improvements to property which may be more clearly defined as "repairs and maintenance", and include painting and decorating, landscaping, minor interior renovations, new roof (replacing existing roof), new siding (excluding installation of brick veneer to an existing frame dwelling), fencing on residential properties, awnings, planter boxes, residential driveways, new porch (replacing one of similar size and construction)."

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-3: "Response to the Report Taxing Matters: An Assessment of the Practice of Property Taxation in Ontario", states in part as follows:

36. Taxing Matters Recommendation: It is recommended that the Assessment Act be amended to provide that improvements to any existing residential property be exempt from valuation for assessment provided that such improvements are decorative, cosmetic, related to the replacement of existing heating, plumbing or electrical services, or related to the decorative restoration of lands or buildings designated under the Ontario Heritage Act.
(Section 6(a)) (page 107)

    AMO Response: The Association agrees with the general thrust of this recommendation, but disagrees with the reference to an Assessment Act amendment and also has

reservations regarding exemptions to lands or buildings designated under the Ontario Heritage Act.

Discussion: At the present time, there exists a practice which is prevalent throughout the province, of exempting maintenance improvements. The problems arises from the inconsistent application of these exemptions by the various assessors. "Taxing Matters" attempts to define the maintenance improvements in order that the approach to this type of exemption will be treated by all assessors in a consistent manner, province-wide. The Association is supportive of this clarification. These maintenance improvements should likely be defined in either regulations or in the Assessment Policy Manual. If there is an upgrading in the replacement of existing services, this could have the effect of increasing the market value of the property. These upgraded improvements should be taken into consideration when re-assessment takes place under Section 63 or Section 70 or under the proposed re-assessment program which would take place every four years.

AMO supports the principle that normal residential property maintenance should not increase the tax burden. It is expected that, under market value assessment, these regular activities of home ownership will maintain the home at its assessment value and prevent downward re-assessment.

The Association supports and encourages the restoration of lands or buildings designated under the Ontario Heritage Act. In that these activities benefit the Ontario community as a whole and fall under provincial legislation, the provincial government should assume the costs associated with increased assessment consequent from property improvement."

Section Comment

Rural Executive Committee: Not Recommended.

Small Urban Executive Committee: Not Recommended.

Board of Directors' Action: Not Endorsed. See AMO Report 86-3: "Response to the Report on Taxing Matters: An Assessment of the Practice of Property Taxation in Ontario".

AT-15

FEDERAL AND PROVINCIAL PAYMENTS IN-LIEU OF TAXES TO BE MADE AT THE SAME TIME THE CURRENT YEAR'S PROPERTY TAXES BECOME DUE (86-061-1)

SECTION "B", Part I

From: City of Guelph

Be it resolved that the federal and provincial governments be petitioned to amend their legislation to provide that payments in-lieu of taxes be made at the time the current year's property taxes become due and that interest be charged at the rate of the existing tax rate in effect in the municipality on overdue payments.

Section Comment

Large Urban Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

EDUCATION

E-4

AMENDMENT TO THE EDUCATION ACT TO ENSURE A MORE EQUITABLE AND ACCEPTABLE METHOD OF TRUSTEE DETERMINATION TO SCHOOL BOARDS (86-070-2)

From: Town of Iroquois Falls

Whereas Sections 59 and 113 of the Education Act, 1980, Chapter 129, as amended, provides that the distribution of trustees from contributing municipalities to the board of education and district combined separate school board be based on equalized residential and farm assessment; and

Whereas determination based solely on equalized residential and farm assessment has a detrimental and unfair effect on some of the contributing municipalities; and

Whereas the Province of Ontario has been studying the basis for determining trustee representation to the above boards since 1981 and has yet to complete such study;

Therefore be it resolved that the Minister of Education be requested to take the necessary steps to ensure that a more equitable and acceptable method of trustee distribution to boards of education and district combined separate school boards be in place for the 1988 municipal and school board elections.

Section Comment

Large Urban Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Northern Ontario Section (FONOM/NOMA): At the 1986 Federation of Northern Ontario Municipalities Annual Meeting, endorsed.

Board of Directors' Action: Endorsed.

EMPLOYER-EMPLOYEE RELATIONS

EM-8

INTRODUCTION OF PAY EQUITY LEGISLATION TO PROPOSE A "COMPLAINTS BASED" SYSTEM FOR THE INTEREST ARBITRATION PROCESS (86-105-4)

From: Ontario Municipal Administrators Association

Whereas the Province of Ontario appears intent on enacting legislation to ensure that all employers including municipalities will adhere to the principle of equal pay for work of equal value in order to correct wage gaps created by traditional underevaluation of "women's work"; and

Whereas the Executive of the Association of Municipalities of Ontario (AMO) has submitted a formal brief endorsing the pay equity approach within the context of a broader employment equity policy; and

Whereas the Ontario Municipal Personnel Association (OMPA) has identified legitimate administrative concerns with the pay equity approach of AMO, particularly those associated with joint job evaluation;

Whereas the present interest arbitration process which applies to Ontario municipalities continually produces large wage increases for certain employee groups compared to other groups not subject to the arbitration process and further frustrates any hope of creating long term pay equity across municipal "establishments"; and

Whereas there are significant cost implications to the introduction of pay equity legislation;

Therefore be it resolved that if it is proposed to introduce pay equity legislation for the broader public sector, the provincial government be urged to follow a "complaints based" system as proposed in the green

paper and to give consideration to the present interest arbitration process which is inconsistent with pay equity for all municipal employees.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-7 "Response to the Provincial Government Discussion Paper 'Pay Equity'", recommends in part as follows:

Recommendation 6:

"AMO recommends that:

a) there be established a threshold of a minimum number of employees applicable to the municipal workforce such that,

   i. above the threshold the pay equity model would be an integrated model consisting of an employer-initiated pay-equity plan and a complaint system; and

   ii. below the threshold the pay equity model would be limited to a complaint system;

and that,

b) the government consult with AMO on the actual size of the threshold to be used.

c) pay equity legislation should not preclude the possibility of requiring the parties to negotiate pay-equity plans and these plans should be negotiated separately from other matters affecting the collective agreement. However, in the event of an impasse during such negotiations, AMO recommends recourse to a non-binding form of third-party intervention and specifically recommends against the use of any binding form of third party resolution.

d) jobs grouped according to female-predominance and male-dominance be done so only for the purposes of pay equity provisions.

Board of Directors' Action: Not Endorsed. See AMO Report 86-7: "Response to the Provincial Government Discussion Paper on 'Pay Equity'".

ENERGY

EN-3

REQUEST TO THE MINISTRY OF ENERGY TO INITIATE GUIDELINES AND IMPLEMENTATION PROGRAM OF ENERGY EFFICIENCY STANDARDS FOR NEW MUNICIPAL BUILDING CONSTRUCTION (86-075-2)

From: AMO Municipal Development Committee

Whereas no specific energy efficiency guidelines or standards now exist for new municipal building construction; and

Whereas the economic benefits of constructing energy efficient new buildings are widely supported;

Therefore be it resolved that the Ministry of Energy be petitioned to establish guidelines for energy efficiency standards for new municipal building construction; and

Furthermore that the Ministry of Energy in consultation with AMO formulate a voluntary implementation program to encourage the adoption of energy efficiency standards appropriate to each municipality.

Board of Directors' Action: Endorsed.

ENVIRONMENTAL CONTROL

EC-7

REQUEST TO CHANGE PROVINCIAL POLICY REGARDING LANDFILL WASTE DISPOSAL SITES ON PRIME AGRICULTURAL LAND (86-080-5)

From: Township of Tiny

Whereas the preservation of prime agricultural land is a matter of great importance to the rural municipalities of Ontario;

Be it resolved that the Minister of Agriculture and Food be requested to bring pressure to bear on the Minister of the Environment to change his Ministry's policy regarding landfill waste disposal sites on prime agricultural land in favour of engineered sites on poor quality land.

Supplementary Information: The "Ontario Foodland Preservation Policy Statement" addresses this issue in Section 6: Policies for

Constructing Public Facilities on Prime Agricultural Land. Where public facilities such as landfill are proposed for construction on prime agricultural land, the need to use this land must be justified in accordance with Section 3: Policies for Non-Agricultural Development on Prime Agricultural Land. Where the need to use prime agricultural land for constructing a public facility is justified, siting and construction of the facility should be carried out in a manner which will minimize the impact of the facility on prime agricultural land and farming practices.

The Association of Municipalities of Ontario in its AMO Report 86-11, "Response to the Foodland Preservation Policy Statement", stated its endorsement of the inclusion of specific policies for constructing public facilities on prime agricultural land.

Board of Directors' Action: Endorsed. See also AMO Report 86-11: "Response to the Foodland Preservation Policy Statement".

EC-8

REQUEST FOR PROVINCIAL AND FEDERAL FUNDING FOR THE ESTABLISHMENT OF A "CHAIR OF URBAN ENTOMOLOGY" AT THE UNIVERSITY OF TORONTO (86-080-1)

From: City of Toronto

Whereas there is a rapidly growing problem of termite infestation in towns and cities in southern Ontario; and

Whereas infestations are causing serious property damage and threatening the stability of many residential neighbourhoods; and

Whereas there has been no research undertaken on the particular type of termite infestation found in Ontario; and

Whereas there is a growing concern that the available current chemical control methods may not be available in the future; and

Whereas the University of Toronto has proposed the establishment of a research position and program on Urban Entomology focusing on the termite;

Therefore be it resolved that the Province of Ontario be requested to provide substantial financial support to the creation of this program; and

Further be it resolved that the Government of Canada be requested to provide substantial financial support to the creation of this program.

Supplementary Information: The AMO Executive Committee at its April 1985 meeting, supported, in principle, the establishment of a research program including a chair of urban entomology at the University of Toronto. In addition, that the required funding be provided by the Ministry of the Environment, Environment Canada and the wood products industry.

Section Comment

Large Urban Executive Committee: Recommended.

Board of Directors' Action: Endorsed.

EC-9

REQUEST TO ENSURE ADEQUATE GOVERNMENT FUNDING FOR CONTINUED RESEARCH AND MONITORING OF THE QUALITY OF GREAT LAKES WATER (86-080-2)

From: Town of Ancaster

Whereas Great Lakes water is the drinking water supply of many municipalities within the Province of Ontario; and

Whereas municipal governments are deeply concerned that its residents receive the highest quality of drinking water, containing no contaminants dangerous to the health of its citizens; and

Whereas there are great concerns being expressed by many qualified persons in the environmental and health fields, governmental agencies and residents in areas whose source of drinking water is Great Lakes water, as to the possibility of contamination of our water supply with toxic chemicals from industrial waste dumps; and

Whereas large amounts of government monies and time have been expended in the research and monitoring of the quality of Great Lakes water, which must be continued for the protection of all persons who receive their drinking water supply from Great Lakes water;

Now therefore be it resolved that the federal and provincial governments be petitioned to take all possible measures, national and international, to provide adequate government funding for continued research and monitoring of the quality of Great Lakes water, to ensure that contamination of our water supply does not become detrimental to the health of all persons whose drinking water supply is from Great Lakes water.

SECTION "B", Part I

Section Comment

County and Regional Executive Committee: Recommended as amended by referring to "Ontario water" throughout the resolution.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed as amended by referring to "Ontario water" throughout the resolution.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed as amended by including reference to the "St. Lawrence River" throughout the resolution.

Board of Directors' Action: Endorsed.

FINANCE

FIN-21

REQUEST THAT THE PROVINCIAL GOVERNMENT ASSUME RESPONSIBILITY OF TOTAL FUNDING OF EDUCATION SERVICES IN THE PROVINCE OF ONTARIO (86-070-3A)

From: County of Northumberland

Whereas the Province of Ontario has vested interest in the economic future and growth through our education system; and

Whereas there is a growing perception among taxpayers that the funds raised for education purposes in increasing measure have placed burden on local government taxation sources; and

Therefore be it resolved that the Province of Ontario be petitioned to assume the responsibility of total funding of education services in the Province of Ontario.

Supplementary Information: The Association of Municipalities of Ontario in its "Response to the Report of the Commission on Financing of Elementary and Secondary Education in Ontario" states as follows:

> "In keeping with the Association's policy guideline E-02, AMO urges the provincial government to determine the means for removing all education costs from the property tax base. Until this is accomplished, the Association supports a provincial reaffirmation of its responsibility to fund education. AMO, therefore, urges the Ontario government to return to a province-wide minimum funding to 60 percent of realistic expenditure ceilings."

Policy Guideline E-02

Since the benefits of a good eductional system are not directly related to property, but extend throughout the community, province, and the nation, educational costs should be entirely financed from forms of tax revenue other than the property tax.

Section Comment

County and Regional Executive Committee: Recommended. Will be debated at the fall 1986 Annual Meeting of the Section.

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed. See AMO Report 86-9: "Response to the Report of the Commission on Financing of Elementary and Secondary Education in Ontario".

FIN-22

REQUEST FOR THE PROVINCIAL GOVERNMENT TO ASSUME 80 PERCENT OF THE COST OF EDUCATION (86-070-3)

From: City of Mississauga

Whereas the burden of education in this area of the Province of Ontario is approximately 60 percent of the property tax; and

Whereas the provincial funding of the cost of education varies from area to area;

Therefore be it resolved that the Province of Ontario be requested to adopt a standard formula for the province; and

Further that the standard formula be based on the Province of Ontario assuming 80 percent of the cost of education.

Section Comment

County and Regional Executive Committee: Not Recommended. See resolution "FIN-21" which was recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed.

Rural Executive Committee: Not Recommended. See resolution "FIN-21" which was recommended.

Board of Director's Action: Not Endorsed. See AMO Report 86-9: "Response to the Report of the Commission on Financing of Elementary and Secondary Education in Ontario.

FIN-23

EDUCATION FUNDING (86-070-3B)

From: City of Kingston

Be it resolved that an alternative to the present method of the funding of schools be found, as the time has come when municipalities can no longer shoulder the burden of school taxation added to the municipal tax bill. Possible alternatives are:

- o funding entirely through income tax and the ability to pay;
- o a "head" or "poll" tax on each individual in a residence so that where there are more earners there are more payers; and
- o a maximum amount or "ceiling" on school taxes to be available to those with less than average incomes.

Section Comment

County and Regional Executive Committee: Not Recommended. See resolution "FIN-21" which was recommended.

Large Urban Section: At the 1986 Annual Meeting of the Section, endorsed as amended, with the deletion of the possible alternatives for the funding of schools, thus the operative clause to read:

> "Be it resolved that an alternative to the present method of the funding of schools be found, as the time has come when municipalities can no longer shoulder the burden of school taxation added to the municipal tax bill."

Rural Executive Committee: Not Recommended. See resolution "FIN-21" which was recommended.

Board of Directors' Action: Not Endorsed. See resolution FIN-21 which was endorsed by the Board.

FIN-24

"REPORT ON THE FINANCING OF ELEMENTARY AND SECONDARY EDUCATION IN ONTARIO" (86-070-8)

From: City of London

Whereas the Minister of Education has released the Report of the Commission on the Financing of Elementary and Secondary Education in Ontario; and

Whereas the Minister has invited a response to the recommendations contained in this Report; and

Whereas some of the recommendations, if implemented, will have an adverse effect on municipalities; and

Whereas the thrust and direction of the Report lacks imagination and radical new measures needed to deal effectively with the financing of education in this province;

Therefore be it resolved that:

a) rather than making modifications to the existing funding sources and systems for education, the province assume full responsibility for the financing of education in Ontario instead of continuing an arrangement which would still leave a heavy tax burden to be borne by local property taxpayers; and

b) municipalities are specifically opposed to Recommendation 17:

"That the Government of Ontario require that payments-in-lieu-of taxes be shared equitably among school boards and municipalities."

and to Recommendation 51:

"That the transfer of grants by the province to school boards be related directly to the incurrence of expenditures and that the remittance of taxes from municipalities to boards be related directly to receipt of tax payments."

on the basis that implementation of the aforementioned two recommendations would adversely impact upon municipal revenues;

c) in the event one or both of these recommendations are given favourable consideration and implemented in legislation, provision be made in such legislation to require school boards to cost-share in the municipal tax collection program in proportion to the amounts collected.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-9: "Response to the Report of the Commission on the Financing of Elementary and Secondary Education in Ontario" states in part as follows:

> 17. That the government of Ontario require that payments-in-lieu of taxes be shared equitably among school boards and municipalities.

AMO Response: AMO partially supports this recommendation.

The Association cannot support this recommendation since payments-in-lieu of taxes are considered property tax revenue, a revenue source which should be closed to the education sector. Until this situation occurs, grants-in-lieu of education taxes should continue to be paid to the tax-collecting municipality for redistribution to the appropriate boards of education, in accordance with local agreements. Moreover, the Association contends that all property owners, including federal and provincial governments, should pay their full share of property taxes directly to municipalities in the same fashion as the majority of property owners.

23. That the government of Ontario affirm its financial commitment toward the funding of education and that it move toward contributing 60 percent of the approved costs.

AMO Response: AMO partially agrees with this recommendation.

In keeping with the Association's policy guideline E-02 (that education costs should be entirely financed from forms of tax revenue other than property tax), AMO urges the provincial government to determine the means for removing all education costs from the property tax base. Until this is accomplished, the Association supports a provincial affirmation of its responsibility to fund education. AMO therefore urges the Ontario government to return to a province-wide minimum funding at 60 percent of realistic expenditure ceilings.

51. That the transfer of grants by the province to school boards be related directly to the incurrence of expenditures and that the remittance of taxes from municipalities to boards be related directly to receipt of tax payments.

AMO Response: This recommendation contains two distinct considerations which are addressed separately below.

Until education costs are removed from the property tax base, the Association supports annual transfer payments to boards of education being announced and paid at the earliest possible date each year, so that municipal councils will have the necessary information to complete final property tax calculations.
In terms of municipal remittance of education taxes as collected, the Association urges the government to take no action on this matter at the present time, since the Association of Municipalities of Ontario is engaged in a negotia-

tion process with the Association of Large School Boards in Ontario, in association with the Ontario School Trustees Council, with a view toward reaching a provincially applicable resolution to this issue.

Board of Directors' Action: Not Endorsed. See AMO Report 86-9: "Response to the Report of the Commission on the Financing of Elementary and Secondary Education in Ontario".

FIN-25

REQUEST THAT THE PROVINCIAL GOVERNMENT TABLE BILL 38, AN ACT TO AMEND THE ONTARIO LOTTERY CORPORATION ACT, UNTIL SUCH TIME POLICIES ARE ESTABLISHED IN CO-OPERATION WITH THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO
(86-145-6a)

From: City of Port Colborne

Be it resolved that the Honourable David Peterson, Premier of Ontario, be requested to table any changes in the Ontario Lottery Corporation Act until such time as appropriate policies are established in co-operation with the Association of Municipalities of Ontario.

Supplementary Information: The Association of Municipalities of Ontario, in a communication dated June 17th, 1986 to the Treasurer of Ontario and Minister of Revenue, expressed concern regarding the re-direction of lottery funds of the recent provincial budget, and as contained in Bill 38, An Act to amend the Ontario Lottery Corporation Act.

The Association in the communication commented in part as follows:

> "The Association urges the government to defer passage of Bill 38, An Act to amend the Ontario Lottery Corporation Act, in its present form and initiate dialogue with AMO to ensure that at least the "traditional" funding mechanisms under the Ontario Lottery Corporation Act will remain in place for recreation and cultural programs and facilities."

Board of Directors' Action: Endorsed.

FIN-26

REQUEST TO EXTEND THE EROSION CONTROL GRANT PROGRAM TO INCLUDE MUNICIPAL DRAIN MAINTENANCE WORK UNDER THE SUPERVISION OF A CERTIFIED DRAINAGE SUPERINTENDENT
(86-030-2)

From: Township of Colchester North

Whereas the Ministry of Agriculture and Food has made available over the next four years, a $2 million amount for an 80 percent grant on eligible erosion control materials; and

Whereas this erosion control grant program appears to only apply to drainage works under an engineer's report; and

Whereas most erosion control work is needed during drain maintenance work and the removal of wash-ins from municipal drains; and

Whereas grants are available for drain maintenance works if they are supervised by a certified drainage superintendent;

Now therefore be it resolved that the Minister of Agriculture and Food be petitioned to allow the 80 percent erosion control grant program to be extended to include erosion control programs under the drain maintenance work under the supervision of a certified drainage superintendent so that when wash-in problems occur, the problem can be rectified by erosion control devices implemented at the time of repair.

Supplementary Information: The Honourable Jack Riddell, Minister of Agriculture and Food, has announced a new Ministry program which will pay 80 percent of farmers' costs for greater use of soil conservation and erosion control devices in municipal drains.

The Ontario Drainage Works Erosion Control Program will make $2 million available to municipalities over the next four years to cover the portion of costs assessed against agricultural lands for erosion prevention devices. The normal grants paid to municipalities for installation costs will also apply to this program.

The following devices are eligible under the program:

- drop structures for ditch bottoms to slow water and reduce erosion.
- drop structures to stabilize ditch bottoms where drains meet at different elevations.
- tile drains to intercept water seeping below ground surface that could cause slumping of ditch banks.
- seed and fertilizer for grass cover on ditch banks and buffer strips.

- o fencing to prevent livestock access to drains.

To be eligible for the grant, the specifications for the device or the application for the materials must appear in an engineer's report, which is adopted as a bylaw by the municipality.

Section Comment

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

HOUSING

H-3

OPPOSITION TO THE NEW FORMULA RELATING TO THE NON-PROFIT HOUSING SUBSIDY POLICY (86-092-5)

From: City of Brampton

Whereas non-profit housing projects must now comply with the new 40/60 subsidy policy legislated by the provincial and federal governments;

Therefore be it resolved that the Association of Municipalities of Ontario is not in favour of the Minister of Housing's recently announced new formula as it relates to the subsidization of family non-profit units, as it is believed to be a regressive step.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-1: "Response to the Ministry of Housing's 1985 Non-Profit Housing Proposal", states in part as follows:

> "Income Integration and Targeting
>
> AMO has endorsed both general principles and specific recommendations for social housing which seek assistance to clearly define low and moderate income households, achieving full integration across these target groups. Therefore, AMO supports the provincial recommendation to establish a minimum level of tenants in greatest need, but accommodating any desired combination of deep or shallow assistance above that minimum.

AMO believes responsible social housing agencies will provide as much individual assistance as possible, given limits of community acceptable and practical management concerns. However, as a province-wide standard, AMO stands by its previous position that the minimum level of deep subsidies should be 25 percent of units. This still permits the Ministry to allocate within any area according to the targeting planned in individual projects.

Recommendation: AMO recommends that there be a provision for a deep subsidy for a minimum of 25 percent of tenants with agency flexibility to exceed the minimum."

Board of Directors' Action: Endorsed. See above recommendation from AMO Report 86-1: "Response to the Ministry of Housing's 1985 Non-Profit Housing Proposal".

H-4

REQUEST FOR THE PROVINCIAL GOVERNMENT TO COVER THE COST OF COLLECTING AND DISSEMINATING INFORMATION ON HOUSING STRUCTURES FROM THE 1986 CENSUS (86-145-4)

From: AMO Social Development Committee

Whereas the federal Minister responsible for Statistics Canada has confirmed that the 1986 Census will include socio-economic data on the basis of four limited dwelling unit types, i.e. single detached, apartments over five storeys, mobile homes, tents and trailers, and other; and

Whereas several Ontario municipalities have indicated their concern with this limited coverage and have recommended that the 1986 Census collect information on the nine structural types included in the 1981 Census, i.e. single detached, apartments over five storeys, other multiple dwellings, double house, row house, duplex, apartments less than five storeys, house attached to a non-residential building, moveable dwelling, and other; and

Whereas the federal Minister responsible for Statistics Canada has indicated that the additional information could be made available at cost; and

Whereas much of the information requested will be of use to municipalities, school boards and the province;

Therefore be it resolved that the provincial Ministry of Treasury and Economics be requested to cover the cost of collecting and disseminating information from the 1986 Census on the basis of the 1981 Census dwelling unit types.

Supplementary Information: The Ministry of Treasury and Economics, in a communication dated February 4th, 1986, informed the Association that negotiations with Statistics Canada had been completed, and as a result, nine housing structural types would be incorporated into the 1986 Census.

Costs regarding the inclusion of nine rather than four categories will be absorbed by Statistics Canada, Canada Mortgage and Housing Corporation and some provincial and municipal governments, including the Ontario government and most of the regional municipalities in Ontario.

Board of Directors' Action: Endorsed.

LAW AND ENFORCEMENT

LE-8

AMENDMENT TO THE YOUNG OFFENDERS ACT (CANADA) TO ALLOW RELEASE OF INFORMATION OF YOUNG OFFENDERS ESCAPED FROM PLACE OF CUSTODY OR DETENTION (86-155-5)

From: Town of Goderich

Be it resolved that the federal government be petitioned to make the necessary amendments to the Young Offenders Act to provide for the disclosure of the naming and description of young offenders who have escaped from any place of custody or detention.

Supplementary Information: Concern has been expressed with regard to the Young Offenders Act and more particularly the fact that a young offender's name and description cannot be given if the person escapes from a place of custody or detention. This point is of more concern to the Town of Goderich and surrounding area due to the fact that we now have an institution located in our area and recently three young offenders escaped.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

PLANNING AND DEVELOPMENT

PD-3

LEGISLATIVE AMENDMENTS TO THE PLANNING ACT AND BUILDING CODE ACT TO ASSIST IN COST-SAVING MEASURES FOR LOCAL MUNICIPALITIES (86-092-1)

From: Town of Lindsay

Be it resolved that the Ministry of Housing be petitioned to change the Ontario Building Code Act, R.S.O. 1980, Section 17 and the Planning Act Statutes of Ontario, 1983, Chapter 1 as amended by 1983, Chapter 82 and Certain Regulations Thereunder, December 1983, Section 31(6) to read:

"registered or certified mail."

Committee Recommendation: Not Recommended.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-5: "Report on amendments to the Planning Act, 1983", with respect to public notice of a meeting on a zoning bylaw amendment, Section 34(13), that the notice be by personal service or mail.

Section Comment

Large Urban Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

PD-4

AMENDMENT TO THE PLANNING ACT TO ALLOW EXTENSION TO THE TIME LIMIT OF CONSENT APPLICATIONS AND TO "DEEM" SEVERED LOTS NOT TO BE LOTS FOR THE PURPOSE OF CONVEYANCE (86-064-2)

From: Regional Municipality of Haldimand-Norfolk

Be it resolved that the Association of Municipalities of Ontario and the Ministry of Municipal Affairs be requested to investigate further

amendment to Section 52 of the Planning Act to allow for extensions to the one year time limit of consent applications, and to allow municipalities to "deem" severed lots not to be lots for the purpose of conveyance.

Supplementary Information: The Association of Municipalities of Ontario in its "Addendum to AMO Report 86-5: Report on Amendments to the Planning Act, 1983", states in part as follows:

"2. Section 52(20) - Conditions on a Consent

Currently, under this section, if an applicant has not fulfilled the conditions imposed as part of a consent within one year of receiving notice of these conditions, the consent is to be deemed to be refused. It has been brought to the attention of the Association that certain municipalities are sometimes faced with situations whereby conditions of approval of the consent may not be fulfilled within the one year time period. When this occurs, the consent is void and a new application must be initiated by the owner.

The Association believes that while this problem may only be occasional, nevertheless, it seems logical that municipalities should be given the power to extend the one year time limit should they desire to do so. This would serve to avoid the necessity of time-consuming re-applications for consents.

3. Section 52 - Consents

An additional concern has been raised by member municipalities regarding the consent granting process. There have been instances of owners receiving a consent for the creation of a lot from a large parcel of land such as a farm operation, and at a later date wishing to trade the previously granted severance for another lot elsewhere on the property.

The Association is of the opinion that there may be valid reason for wishing to do this and requests that municipalities be given the authority to deem an existing severed lot not to be a severed lot for the purposes of conveyance. This could have additional benefits for municipalities in that they could, after a period of time, deem any older unused severances to be part of the original land parcel. Such a provision would have long term benefits for municipalities and would allow them to be more flexible and responsive in administering their planning function."

Section Comment

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed. See AMO Report 86-5: "Report on Amendments to the Planning Act, 1983".

PD-5

AMENDMENT TO SECTION 40(1) OF THE PLANNING ACT, 1983 TO INCLUDE 'PITS AND QUARRIES' WITHIN THE DEFINITION OF 'DEVELOPMENT' (86-064-1)

From: City of Kitchener

Be it resolved that the Minister of Municipal Affairs be requested to change Section 40(1) of the Planning Act, 1983, to specifically include pits and quarries as 'development'.

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

PD-6

AMENDMENT TO THE RAILWAY ACT TO ALLOW AFFECTED MUNICIPALITIES RECOGNIZED STATUS BEFORE THE CTC ON MATTERS WITH RESPECT TO EXPROPRIATION FOR RAILWAY PURPOSES (86-155-6)

From: Town of Vaughan

Be it resolved that the Federal Minister of Transport, be requested that an immediate review of the Federal Railway Act be undertaken with a view to eliminating the overriding provisions of the Act with respect to expropriation for railway purposes and further to make amendments to the necessary Act and Regulation to allow affected municipalities recognized status before the Canadian Transport Commission on any matters affecting their jurisdication as local governments; and

Furthermore, that the Province of Ontario be requested to ask the federal government to amend the Railway Act to identify transporta-

tion facilities such as marshalling yards to be items under the jurisdiction of the Ontario Planning Act.

Supplementary Information: The Corporation of the Town of Vaughan (Ontario) is anticipating that an application is soon to be made by Canadian Pacific Rail to the Canadian Transport Commission for the necessary approval(s) to construct an intermodal railway marshalling yard adjacent to our Kleinburg Community which lies immediately north and west of Metropolitan Toronto along the C.P.R. main line to the west. The Town's position is one of opposition to the development of this facility.

In particular, the Town of Vaughan is concerned that local municipalities, into which such facilities are being placed, are not considered a party to any application before the Railway Transport Committee of the Canadian Transport Commission nor are they considered part of the approval process, notwithstanding that such installations as marshalling yards require considerable acreages and have definite impacts on the local infrastructure, environment, and quality of life of the communities in which they are located.

The Town of Vaughan firmly believes that affected local municipalities should be party to the approval process of significant railway installations to be located within their planning jurisdictions.

Section Comment

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed the first operative clause only.

Board of Directors' Action: Endorsed.

PD-7

AMENDMENT TO THE PLANNING ACT REGARDING REDUCTION IN THE APPEAL PERIOD WITH RESPECT TO ZONING BYLAW AMENDMENTS (86-064-4)

From: Town of Tilbury

Whereas a zoning bylaw amendment is subject to Section 34(18) of the Planning Act which provides that any person, including the Minister of Municipal Affairs or agency, may within thirty-five (35) days from the date of the passing of the bylaw, appeal to the Ontario Municipal Board by filing with the clerk of the municipality, a notice of appeal setting out the reasons in support of the objection; and

Whereas the majority of zoning bylaw amendments are not subject of appeal; and

Whereas the thirty-five (35) day appeal period causes undue burden on new development in delaying the start of construction; and

Whereas the construction period in Ontario is limited due to weather conditions;

Now therefore be it resolved that the Minister of Municipal Affairs be apprized of these facts and that the Minister of Municipal Affairs be requested to implement an amendment to Section 34(18) of the Planning Act to authorize a reduction in the appeal period to fourteen (14) days appeal, or notice of intent to appeal, with the provisions that if a notice of intent to appeal is registered, an additional twenty-one (21) day period be provided for the appeal to be filed. If no appeal, or intent to appeal is filed in 14 days, the bylaw would come into effect upon certification by the clerk.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-5: "Report on Amendments to the Planning Act, 1983", states in part as follows:

> "... It has been proposed by the Ministry of Municipal Affairs that the mandatory time periods concerning zoning bylaws be reduced as follows:
>
> 1. Notice of public meetings before considering bylaw: fourteen (14) days.
>
> 2. Appeal period: Twenty (20) days from giving of notice by clerk.

The Association is generally supportive of the above amendment, but recommends the following changes and additions to Section 34:

a) That the notice periods outlined in the amendment be "minimum" requirements as opposed to "mandatory" time periods and that notice be by personal service or mail.

b) That the proposed notice and appeal periods also be adopted for official plan amendments in order to establish uniformity for the approval process."

Board of Directors' Action: Not Endorsed. See AMO comments in AMO Report 86-5: "Report on Amendments to the Planning Act, 1983".

PD-8

PROPOSED FOODLAND PRESERVATION POLICY (86-030-6)

From: Township of Arthur

Whereas the Association of Municipalities of Ontario is greatly concerned about the impact of the Policy Statement for Foodland Preservation in the Province of Ontario on small rural municipalities;

Therefore be it resolved that the Minister of Agriculture and Food be petitioned to reconsider the impact of the Policy Statement for Foodland Preservation on small rural municipalities regarding the severance policies.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-11: "Response to the Foodland Preservation Policy Statement", states in part as follows:

> "... The complete exclusion of farm-related severances is unacceptable to the Association. In the case of the retiring farmer, the retention of a one or two acre parcel from farm holdings makes it unnecessary to purchase one elsewhere. If the farmer has sold his land to his son, there may have been little cash outlay and therefore, the farmer may not have the cash to purchase land elsewhere. As well, the retiring farmer may wish to remain active in the farm operation and therefore, remain near at hand. Finally, many farmers may simply not wish to move to a village, hamlet or town after fifty years of farming. On the other hand, many rural municipalities need the population and assessment that comes from these individual severances to be able to remain viable.
>
> The third general principle outlined in the introduction to this report addressed the concept of local autonomy. The Association is of the opinion that decisions regarding severances on prime agricultural land should be left up to the individual municipalities in accordance with their official plans. Municipalities are capable of balancing local situations against provincial interests. In light of the foregoing, the Association recommends that some farm-related severances continue to be permitted on prime agricultural land.
>
> Recommendation #8
>
> That, where an official plan exists with approved severance policies, farm-related severances continue to be permitted on prime agricultural land at the discretion of the municipality. However, it is also suggested that farm-related severances should be located away from major farm activities, such as next to a woodlot or on property borders."

Board of Directors' Action: Endorsed. See AMO Report 86-11: "Response to the Foodland Preservation Policy Statement".

PD-9

CRITERIA TO BE ESTABLISHED WITH RESPECT TO THE DECISION-MAKING OF PRIME AGRICULTURAL LAND PROTECTION THROUGH MUNICIPAL PLANNING DOCUMENTS (86-030-10)

From: Township of East Ferris

Whereas municipal governments recognize the need to protect prime agricultural land in the province of Ontario; and

Whereas the government must realize that blanket policies do not necessarily apply to all areas;

Therefore be it resolved that the Minister of Agriculture and Food be requested that in municipalities where there are only two or three active farmers who must seek other types of employment to survive, the decision-making as to prime agricultural land to be protected should remain with the local government through their planning documents.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 86-11: "Response to the Foodland Preservation Policy Statement" states in part as follows:

> "One of the primary themes of the new Planning Act was that of local autonomy. The Act decentralized decision-making, allowing local governments to be both more responsive and more accountable to their ratepayers. The Foodland Preservation Policy Statement, however, tends to undermine local autonomy by posing blanket solutions to extremely varied local conditions.
>
> Therefore, AMO believes that, not withstanding the specific provisions of any provincial policy statement, local autonomy must be respected."

Board of Directors' Action: Endorsed as per above comments in AMO Report 86-11: "Response to the Foodland Preservation Policy Statement".

PD-10

REQUEST TO LEAVE THE DECISION OF ALLOWING SEVERANCE ON PRIME AGRICULTURAL AND MARGINAL LANDS TO THE INDIVIDUAL MUNICIPALITIES (86-030-11)

From: Township of North Plantagenet

Be it resolved that the Association of Municipalities of Ontario is of the opinion that the Government of Ontario should leave the decision of allowing severance on prime agricultural land and marginal land to the individual municipalities in accordance with the official plan since individual municipalities are closer to the source and will be sure to respect their prime agricultural land, while at the same time will not stifle the continuity of proper construction and expansion.

Supplementary Information: The Association of Municipalities of Ontario supports, in principle, the preservation of agricultural land and recognizes that continued fragmentation of the land base can have serious long-term effects. For this reason, AMO strongly supports the provisions of the prohibiting of estate and conventional, residential subdivisions, and institutional, industrial, commercial and recreation uses on prime agricultural land. However, the Association does not support the complete exclusion of farm-related severances. The Association recommends that where an official plan exists with approved severance policies, farm related severances continue to be permitted on prime agricultural land.

Board of Directors' Action: Endorsed as per above comments in AMO Report 86-11: "Response to the Foodland Preservation Policy Statement".

PD-11

REQUEST THAT THE PROPOSED POLICY STATEMENT ON FOODLAND PRESERVATION PROVIDE SUFFICIENT FLEXIBILITY TO PERMIT NON-FARM RESIDENTIAL USES IN AGRICULTURAL AREAS (86-30-9)

From: County of Victoria

Be it resolved that the proposed Policy Statement on Foodland Preservation provide sufficient flexibility to permit non-farm residential uses in the agricultural area provided that:

a) any dwellings will not be within the minimum separation distance;

b) any lot for residential purposes be on non-productive agricultural land;

c) the dwelling is not on Classes 1, 2, 3, or 4 land as determined by the Canada Land Inventory; and

d) that any lot created in the agricultural area remain zoned and designated as agricultural in order to protect the agricultural area.

Supplementary Information: In the Proposed Policy Statement on Foodland Preservation, conventional residential development is permitted on prime agricultural land if it can be justified in accordance with Section 3 of the policy statement: Policies for Non-Agricultural Development on Prime Agricultural Land. Rural residential uses by consent or estate residential subdivision are not permitted.

The Association in its AMO Report 86-11: "Response to the Foodland Preservation Policy Statement" states that the Association supports, in principle, the preservation of agricultural land and recognizes that continued fragmentation of the land base can have serious long-term effects. For this reason, the Association strongly supports the provisions prohibiting estate residential subdivisions on prime agricultural land, etc., except as they relate to farm-related severances.

Recommendation #8

That, where an official plan exists with approved severance policies, farm-related severances continue to be permitted on prime agricultural land at the discretion of the municipality. However, it is also suggested that farm-related severances should be located away from major farm activities, such as next to a woodlot or on property borders.

Board of Directors' Action: Endorsed. See AMO Report 86-11: "Response to the Foodland Preservation Policy Statement".

PD-12

INTRODUCTION OF A NEW AGGREGATES ACT (86-115-2A)

From: Town of Halton Hills

Be it resolved that the Minister of Natural Resources be encouraged to reconsider and re-introduce the former Bill 127, the Aggregates Act.

Supplementary Information: The Association of Municipalities of Ontario in its Report 84-1 "Response to the Proposed Provincial Mineral Aggregate Resource Planning Policy" concludes in part as follows:

> "The Association takes this opportunity to request once again, that the Minister responsible for mineral aggregates introduce the "Aggregates Act" which would amend or replace the present Pits and Quarries Control Act. Subsequent to the introduction of the new legislation, AMO should be provided with an opportunity to consider the provisions of such a Bill and respond to them."

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, not endorsed.

Board of Directors' Action: Endorsed.

TRANSPORTATION AND COMMUNICATIONS

TC-14

REQUEST FOR ADDITIONAL PROVINCIAL AND FEDERAL GOVERNMENT FUNDING FOR MUNICIPAL ROAD INFRASTRUCTURE
(86-140-4)

From: City of Colborne

Whereas many municipalities have been receiving nominal provincial subsidy with very minimum increases of one to two percent over the past few years and have been forced to spend 100 percent tax dollars to keep up with the restoration of deteriorating road infrastructure; and

Whereas provincial funding for the road purposes is decreasing on a yearly basis, the provincial, regional, county and municipal road programs are falling well short of what is necessary for prudent protection of our investment in the system; and

Whereas our road systems are an integral part of primary facilities on which our very way of life is dependent; and

Whereas the primary function of our roads is the movement of persons and goods; and

Whereas the deterioration in our roadways directly influences the costs of transportation and results in a negative impact on our economy; and

Whereas lack of funding today for road maintenance and reconstruction will result in unnecessary increases in costs tomorrow;

Now therefore be it resolved that until all transfer payments are unconditional, the provincial government be petitioned to increase the M.T.C.'s road budgets and municipal subsidies; and

Furthermore, that the provincial government is urged to lobby the federal government for the funding of provincial and municipal road programs.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report 85-3: "Municipal Infrastructure in Ontario: Funding Inadequacies" recommended in part as follows:

1. That the provincial government continue to seek additional federal funding for municipal infrastructure improvements and that it request the new federal government to restore the Community Services Contribution Program or establish a similar program which provided badly needed assistance to municipalities throughout Ontario.

2. AMO supports the recommendation of the Ontario Good Roads Association which states the following "... that the allotment for roads (increase) by 75 million subsidy dollars in each of the next five years to partially meet the requirements of the participating municipalities.

3. That, in conjunction with the above recommendations, discussions concentrate on examining alternative and additional local government funding sources.

Section Comment

County and Regional Executive Committee: Recommended with the first operative clause to read:

> "Now therefore be it resolved that the provincial government be petitioned to increase the M.T.C.'s road budgets and municipal subsidies; and ".

Rural Executive Committee: Recommended with the first operative clause to read:

> "Now therefore be it resolved that the provincial government be petitioned to increase the M.T.C.'s road budgets and municipal subsidies; and".

Board of Directors' Action: Endorsed as per above comments in AMO Report 85-3: "Municipal Infrastructure in Ontario: Funding Inadequacies".

TC-15

FUNDING OF GRADE SEPARATION (86-155-8)

From: Regional Municipality of Peel

Whereas recently announced financial contributions from Transport Canada towards the construction of road/rail grade separations, which are based on 50 percent of the eligible costs, are up to $750,000. less than would have been available under prior programs; and

Whereas this decrease in federal assistance has a serious impact on a municipality's total road improvement program;

Therefore be it resolved that the Minister of Transport be requested to seriously consider revising the formula for funding road/rail grade separations to that previously applied in prior programs such as the Urban Transportation Assistance Program and the Special Recovery Capital Projects Program.

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Recommended.

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed.

TC-16

TRANSPORTATION OF HAZARDOUS GOODS (86-140-3)

From: City of Burlington

Whereas municipalities should have a say over the types of hazardous goods transported within its boundaries and in which areas and on which road the transportation of these hazardous goods takes place; and

Whereas it is recognized that the provincial government can develop legislation which would ensure that the transportation of hazardous goods could not be totally prohibited or restricted within a municipality; and

Whereas the establishing of routes for the transportation of hazardous goods would be consistent with the approach other provincial governments within Canada have taken; and

Whereas municipal governments have regard for the safety of its residents, as well as the residents of other municipalities in Ontario;

Now therefore be it resolved that the Association of Municipalities of Ontario be requested to petition the Ontario government to reconsider its position on the transportation of hazardous goods, and to enact specific legislation to control the types of hazardous goods and routes.

Supplementary Information: The Association of Municipalities of Ontario in its AMO Report "64: Report of the Inter-Association Working Group on the Transportation of Dangerous Goods", recommended in part as follows:

> "... that the Province of Ontario be requested to enact enabling legislation permitting municipalities to pass bylaws regulating the parking and routing of vehicles transporting dangerous goods and that the provincial government consider including a provision requiring that the Minister of Transportation and Communications approve all bylaws passed under the enabling legislation."

Section Comment

County and Regional Executive Committee: Not Recommended, the original motion which read as follows:

> "Now therefore be it resolved that the Association of Municipalities of Ontario be requested to petition the Ontario government to reconsider its position on the transportation of hazardous goods and to enact specific legislation enabling municipalities to control the types of hazardous goods and routes that these goods take within municipal boundaries."

Rural Executive Committee: Not Recommended, the original motion as outlined above (see County and Regional Executive Committee comments).

Board of Directors' Action: Endorsed.

Part II

ENERGY

EN-4

DAYLIGHT SAVINGS TIME (86-075-1)

From: City of North York

Whereas Daylight Saving Time currently runs from the last Sunday in April to the last Sunday in October, but there is no apparent logic behind these commencement and termination dates; and

Whereas the Energy and Commerce Committee of the United States House of Representatives voted on June 25, 1985 to extend the term of Daylight Savings Time to be the first Sunday in November from the first Sunday in March; and

Whereas an American Department of Transport study shows that the United States saved six million barrels of oil over two months with the early implementation of Daylight Savings Time, that there were ten to thirteen percent fewer crimes committed under Daylight Savings Time, and that traffic accidents fell by two percent over the two months that included an extra hour of daylight; and

Whereas North York Hydro is on record as supporting extended Daylight Savings Time, noting that it could save one percent of its total electricity consumption and that consumers' monthly hydro bills would be reduced by $1.50 a month; and

Whereas an extension of Daylight Savings Time will be safer for children as it would provide an extra hour of daylight during the early evening hours; and

Whereas the change would still supply sufficient daylight during school hours;

Therefore be it resolved that the Association of Municipalities of Ontario re-affirm its position in favour of altering Daylight Savings Time to run from the first Sunday in March through to the first Sunday in November each year; and

Be it further resolved that the Province of Ontario be requested to amend the Time Act to permit this change in Daylight Savings Time hours to occur.

Supplementary Information: The United States House of Representatives has voted to extend daylight time by four weeks a year in an effort to save energy and provide more recreation time. The daylight saving time bill is now before the U.S. Senate.

In addition, a Private Member's Bill, Bill 58, An Act to revise the Time Amendment Act, 1986, has been introduced in the Ontario Legislature with the same proposal, and has received second reading, May 22, 1986.

Section Comment

County and Regional Executive Committee: Recommended.

Large Urban Executive Committee: Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Rural Executive Committee: Recommended.

Board of Directors' Action: Endorsed.

GENERAL

GEN-19

POSTAL DELIVERY (86-155-4)

From: City of Nepean

Whereas Canada Post Corporation has adopted a national policy that new subdivisions will not receive postal delivery service until a restructuring review of the letter carrier routes is completed; and

Whereas recently developed communities must receive their mail either through the green roadside postal boxes or through the post office which may be located several miles from their homes; and

Whereas new residents who reside in an urban area, should have the same service as provided to existing residents in the same urban area;

Be it resolved that the Association of Municipalities of Ontario hereby objects to Canada Post Corporation over the non-delivery of mail to new urban streets; and

Be it further resolved that Canada Post Corporation be asked to initiate home delivery postal services to those new urban streets in

order that these new areas will enjoy a postal service consistent with established urban areas.

Also received resolutions on the subject matter from Town of Aurora; Regional Municipality of Ottawa-Carleton; and Town of Pickering.

Section Comment

Large Urban Executive Committee: Recommended.

Rural Executive Committee: Not Recommended.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed a similar motion which reads as follows:

> "Be it resolved that Canada Post be requested to provide door-to-door service to all urban areas; and
>
> Furthermore, as an interim measure, community boxes be provided in those areas where mail service is not provided."

Board of Directors' Action: Endorsed.

GEN-20

ESTABLISHMENT OF A NATIONAL AGENCY FOR THE MARKETING OF FLUE-CURED TOBACCO (86-155-3)

From: Township of Delhi

Whereas the tobacco growing industry has made a significant contribution to the economy and community of all local areas where that industry exists; and

Whereas significant revenues from the taxation of the sale of tobacco have acurred to both the federal and provincial governments; and

Whereas this industry has been destabilized in recent years by a decline in export markets and by the impact of federal and provincial taxation on domestic markets; and

Whereas a further decline of the industry would result in at least the following effect:

1) loss of farm revenue;
2) loss of farm employment;
3) loss of revenue and employment in related business and industry;

4) loss of municipal assessment;
5) loss of provincial and federal revenue; and

Whereas it appears that the establishment of a Canadian Flue-Cured Tobacco Marketing Agency under the provisions of the Farm Products Marketing Agencies Act appears to be the most expeditious and efficient means of re-establishing stability in this industry;

Therefore be it resolved that the Federal Cabinet be petitioned to approve a National Agency for the marketing of Flue-Cured Tobacco at the earliest possible date.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Small Urban Section (OSUM): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

GEN-21

REGULATION OF BIRD FEED AND BIRD SEED (86-155-1)

From: County of Huron

Whereas there are no controls or regulations at the present time with respect to the purity standard of bird feed and bird seed; and

Whereas it has been determined a great many new weed seeds, e.g. proso millett, have been introduced through bird feed and bird seed; and

Whereas many of these new weeds are difficult to control, especially in specialty crops and drastically reduce yields;

Therefore be it resolved that the federal Minister of Agriculture be requested to establish controls and regulations with respect to the purity standard and sterilization of germination of bird feed and bird seed.

Section Comment

County and Regional Executive Committee: Recommended.

Rural Section (ROMA): At the 1986 Annual Meeting of the Section, endorsed.

Board of Directors' Action: Endorsed.

NOTES

LEGISLATIVE AND RESOLUTIONS COMMITTEE
1985 - 1986

Chairman

MICHAEL POWER
Mayor, Town of Geraldton

Vice-Chairman

JOHN HARRISON
Councillor, Township of Delhi
representing the Small Urban Section (OSUM)

Members

HAROLD BRUCE
Councillor, County of Victoria

LLOYD BRYSON
Councillor, County of Lambton
representing the County and Regional Section

BERNIE BUCKLE
Tax Supervisor, Borough of East York
representing the Association of Municipal Tax Collectors
of Ontario

DAVID BURR
Mayor, City of Windsor

STERLING CAMPBELL
Alderman, City of Sudbury

HELEN COOPER
Alderman, City of Kingston
representing the Large Urban Section

DAVID COURT
Director of Social Services, District of Algoma
representing the Ontario Municipal Social Services Association

MORRIS DARBY
Reeve, Township of Tiny

BOB DEMPSEY
Engineer, County of Huron
representing the Municipal Engineers Association

LINDA DUCZAK
Administrator-Clerk, Township of Tecumseth
representing the Ontario Municipal Administrators Association

RESOLUTIONS COMMITTEE

MAURICE ENGELS
City Administrator, City of London

BOB FOULDS
Clerk-Administrator, County of Kent
representing the County and Regional Section of AMO

NORM GAMBLE
Commissioner of Administration, City of Cambridge
representing the Society of Directors of
Municipal Recreation of Ontario

BARBARA HORNER
Councillor, County of Lambton

DON L. HUGGINS
Treasurer-Administrator, Township of Delhi
representing the Association of Municipal Clerks
and Treasurers of Ontario

BILL MURDOCH
Councillor, County of Grey

JOHN NEWTON
Reeve, Township of Mulmur
representing the Rural Section (ROMA)

NANCY PORTEOUS
Regional Councillor, City of Brampton

MILTON SATHER
Chief Administrative Officer, City of Guelph

JEAN SMITH
Alderman, City of Belleville

CHARLES TATHAM
Councillor, County of Oxford

GERRY TEAHEN
Mayor, Town of St. Mary's
representing the Small Urban Section (OSUM)

JIM WALES
Reeve, Township of Tosorontio
representing the Rural Section (ROMA)

Resource

CHARLES E. ONLEY
Solictior, City of North York

GLORIA MARCHESANO
Administrative Officer/Board of Directors and Resolutions, AMO

NOTES

A. M. O.

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

CONSTITUTION

as amended August, 1985

CONSTITUTION
FOR THE
ASSOCIATION OF MUNICIPALITIES OF ONTARIO

ARTICLE I - NAME

The name of the Association shall be the Association of Municipalities of Ontario.

ARTICLE II - INTERPRETATION

For the purposes of this Constitution the following definitions shall apply:

Association shall mean the Association of Municipalities of Ontario.

Board shall mean the Board of Directors of the Association of Municipalities of Ontario.

Executive Committee shall mean the Executive Committee of the Board of Directors of the Association of Municipalities of Ontario unless specifically identified as the Executive Committee of a Section of the Association.

Population shall mean the population figures employed by the provincial government for grants purposes.

ARTICLE III - OBJECTS

Section 1. To promote effective municipal government and to improve the general well-being of the citizens of Ontario.

Section 2. To enhance the position of municipal government within the total governmental process.

Section 3. To attempt to secure united action among members in dealing with matters of common municipal interest while reflecting the diversity of municipal views.

Section 4. To represent members in matters affecting them or the welfare or interest of their citizens when such representation is not contrary to Association policies.

Section 5. To consider matters of general interest to municipalities and to promote the enactment of such legislation as may be of advantage to the municipalities of Ontario.

Section 6. To represent and assist members in maintaining and furthering municipal autonomy to a degree beneficial to the public interest and to co-operate with any bodies having similar aims.

Section 7. To provide an effective avenue for the expression of the municipal view-point to other levels of government and other appropriate bodies.

Section 8. To foster close relationships among the various levels and types of municipal governments.

Section 9. To foster close relationships between this Association and the associations of municipal officials.

Section 10. To provide membership services of benefit to municipal government in Ontario.

ARTICLE IV - MEMBERSHIP

Section 1. Membership in the Association shall be open to any municipality in Ontario and any duly constituted territorial district municipal association.

Section 2. Associations of municipal officials may affiliate to the Association. Such affiliates shall be representative of municipal administrative functions. Such affiliation shall be in accordance with Article XII of this Constitution and shall be subject to the approval of the Board and to the approval of the Annual Meeting next following thereafter.

Section 3. Associate membership may be granted upon application to the Board of Directors, to persons or organizations whose principal purpose and interest is complementary to that of the Association, or who, in the opinion of the Board of Directors, may make a contribution to the benefit of the Association. Such associate members shall pay an annual fee as prescribed by the Board of Directors. Associate members shall receive all membership mailings; may be invited to become or to name representatives to serve on committees of the Association; shall be entitled to attend the Annual Conference and Annual Meetings of the Association and its Sections, but shall not be entitled to vote at such conferences or meetings nor shall they be entitled to office in the Association or its Sections.

Section 4. The Board by resolution may name persons to be Honorary Members of the Association in recognition of their active contribution to the Association.

Section 5. The Board of the Association may, by a secret affirmative ballot of not less than two-thirds of the total membership of the Board, name persons to be Life Members of the Association in recognition of outstanding service to the Association.

Section 6. Where Honorary Members or Life Members are not voting delegates as defined under Article V of the Constitution, they shall be entitled to participate in the proceedings of the Annual Meeting. Where a municipal membership fee does not cover the membership of such persons, Honorary Members and Life Members shall not be charged membership or Annual Meeting fees.

ARTICLE V - REPRESENTATION

Section 1. The supreme governing body of the Association shall be the Annual Meeting.

Section 2. Each member municipality may appoint voting delegates, either elected or appointed, to the Annual Meeting. The number of voting delegates shall be based upon population in accordance with the following schedule except as noted in Sections 3 and 4.

POPULATION			NO. OF VOTING DELEGATES
	under	5,000	2
5,000	to	14,999	3
15,000	to	49,999	4
50,000	to	99,999	5
100,000	to	199,999	6
200,000	to	349,999	7
	over	350,000	8

Section 3. Counties, metropolitan, regional and district municipalities shall be entitled to voting delegates based upon population in accordance with the following schedule.

POPULATION			NO. OF VOTING DELEGATES
0	to	49,999	2
50,000	to	100,000	3
	over	100,000	4

Section 4. Territorial district municipal associations shall each be entitled to one voting delegate.

Section 5. A member elected or appointed to the Board of the Association in accordance with Article VII of the Constitution shall be a voting delegate at large to the Annual Meeting. Such delegation shall be in addition to any voting delegation allowed to the member's municipality under Sections 2 and 3 of this Article.

Section 6. A voting delegate must be appointed by a member municipality or a territorial district association or an association of municipal officials and each voting delegate shall be entitled to one vote only.

Section 7. A voting delegate may not assign a voting privilege or vote by proxy.

Section 8. The deadline for registration of voting delegates of a member of the Association shall be thirty (30) days prior to the Annual Meeting. In the event of a change in appointment of a voting delegate, such change shall be submitted by a certified notice from the appropriate official of the member municipality.

Section 9. Member municipalities may appoint non-voting delegates and there shall be provision for visitor and guest registration.

ARTICLE VI - FEES

Section 1.

(a) The annual membership fee shall apply to the fiscal year of the Association.

(b) The Board shall, by resolution, submit to the Annual Meeting for consideration, proposed changes in the membership fees and any approved changes shall not become effective until the first day of the fiscal year next following the Annual Meeting.

(c) Membership fees shall be due on the first day of the membership year for which assessed, and the final date for the accreditation of membership shall be May 31st of each calendar year.

ARTICLE VII - BOARD OF DIRECTORS

Section 1. The Board of Directors shall be the governing body of the Association between Annual Meetings and shall comprise:

The President - who shall be a member of a municipal council;

The Administrative Vice-President - who shall be a municipal official;

The First Vice-President - who shall be a member of a municipal council;

The Five Vice-Presidents - three (3) of whom shall be members of municipal councils and two (2) of whom shall be municipal officials;

Chairmen - of the Sections of the Association;

The Immediate Past President;

The Immediate Past Administrative Vice-President;

Members-at-Large:

Forty (40) to be elected at the Annual Meeting, thirty (30) of whom shall be members of municipal councils and ten (10) of whom shall be municipal officials;

Five (5) to be appointed by the Incoming Board of Directors following the Annual Meeting. Consideration shall be given to geographic representation so that all types of municipalities and parts of Ontario are represented;

Two (2) appointees from each Section;

Together with those representatives of the **affiliated associations**, one (1) representative to be appointed by each affiliate member.

Section 2. Qualification

(a) Every member of the Board shall be a member of council of a member municipality, or, a municipal official of a member municipality.

(b) Where an Immediate Past President or Immediate Past Administrative Vice-President is or becomes ineligible to serve on the Board, the position shall be declared vacant.

(c) No member municipality shall be represented by more than one member of a municipal council and one municipal official elected or appointed to the Board of the Association at any one time. Municipalities represented by members of the Executive Committee, and/or by Board members appointed by the sections or affiliate members shall not be deemed to be represented on the Board for the purposes of this section.

(d) In the case of a member of the Board who is a member of a municipal council or a municipal official, such member shall be deemed to have retired from the Board when no longer a member of a municipal council or a municipal official of that member municipality.

(e) Current members of the Section Executive Committees are eligible to stand for election to the AMO Board of Directors, but if successfully elected at the AMO Annual Conference, must then resign from the Section Executive Committee. This condition would not apply to the two appointments to the Board from each Section, or to the Immediate Past Chairman of each Section.

Section 3. In the event of a vacancy on the Board, the Board may appoint a qualified person to fill the vacancy for the balance of the term.

Section 4. Affiliate representation on the Board shall enjoy all of the rights and privileges accorded to duly elected members-at-large.

Section 5. At no time shall the number of members of municipal councils on the Board be less than 60% of the total membership.

Section 6. All travel and out-of-pocket expenses incurred by the members of the Board, with the exception of the President, the Administrative Vice-President, or their designates, while carrying out Association business, shall be assumed or shared by

a) the member's municipality, or
b) the sponsoring Section, or
c) the sponsoring affiliated association, or
d) the individual member.

Section 7. A **quorum** of the Board shall exist when twenty-five (25) members of the Board are present, providing that at least twenty (20) member municipalities are represented.

Section 8. The Executive Director shall call a meeting of the Board whenever requested to do so by the President or in writing by twenty (20) members of the Board.

ARTICLE VIII - THE OFFICERS AND EXECUTIVE COMMITTEE

Section 1. The Officers of the Board shall be the President, the Administrative Vice-President, the First Vice-President, the five (5) Vice-Presidents, the Immediate Past President, and the Immediate Past Administrative Vice-President. The Officers and the Chairmen of the five (5) Sections shall form the Executive Committee, which shall be the governing body of the Association between meetings of the Board. The Executive Committee of a Section may appoint a Section Executive Committee member other than the Chairman to serve on the AMO Executive Committee.

Section 2. A quorum of the Executive Committee shall be eight (8).

Section 3. The Executive Director shall call a meeting of the Executive Committee whenever requested to do so by the President or in writing by five (5) members of the committee.

Section 4. The President may delegate, as he deems advisable, any of his duties to other members of the Executive Committee providing such delegation does not conflict with Section 3 of Article IX.

Section 5. The Offices of Executive Director and Treasurer of the Association shall be appointed by the Board of Directors and hold office at the pleasure of the Board.

ARTICLE IX - DUTIES

Section 1. The President shall hold office for one year or until a successor is elected. Subject to Article VIII, Section 4, the President, as chief executive officer, shall be the presiding officer at all meetings of the Association or of the Board and Executive Committee. The President shall be a member of all committees of the Association, ex officio and shall have full voting privileges and shall be recognized in determining a quorum. The President shall generally supervise and co-ordinate the affairs and activities of the Association in accordance with established policies.

Section 2. The Administrative Vice-President shall generally supervise and co-ordinate all matters relating to the internal financial and administrative matters in the Association. The holder of the office shall be responsible for the preparation of an annual budget of estimated expenditures in co-operation with the Executive Director and Treasurer for submission to and approval by the Board of Directors.

Section 3. The First Vice-President shall be assigned such tasks by the President and the Executive Committee as are deemed proper and appropriate. In the absence of the President, the First Vice-President shall assume the duties and exercise the authority of the President.

Section 4. The Vice-Presidents shall be assigned such tasks by the President and the Executive Committee as are deemed proper and appropriate. In the absence of the First Vice-President, they shall assume the duties and exercise the authority of such higher office in the manner determined by the Executive Committee having regard to their respective positions as elected or appointed representatives.

Section 5. The Executive Director shall co-ordinate the activities and be charged with the general administration of the Association and shall ensure that the provisions of the Constitution, policies and procedures of the Association are maintained and enforced.

Section 6. The Treasurer shall receive all fees and other monies of the Association and ensure that they are deposited to the credit of the Association in the same manner as that permitted municipalities under the provisions of the Municipal Act. A proper account shall be kept of all receipts and disbursements. An auditor's report and financial statements shall be submitted to the Annual Meeting for approval.

ARTICLE X - ELECTIONS

Section 1. All officers and members of the Board shall be elected at the Annual Meeting, with the exception of the Immediate Past President and the Immediate Past Administrative Vice-President, the Section Chairmen and appointees, the appointees from affiliate members, and those persons to be appointed by the Board following the Annual Meeting, and such persons shall, unless otherwise disqualified, hold office until their successors are elected or appointed.

Section 2. For each Annual Meeting a Nominating Committee shall be named by the President and approved by the Executive Committee not less than ten weeks prior to the Annual Meeting. The Nominating Committee shall consist of a Chairman and not more than six (6) other persons, all of whom shall hold the same qualifications as those required for election to the Board of Directors. The Nominating Committee shall be required to meet at least six weeks prior to the Annual Meeting to consider nominations.

Section 3. Members of the Nominating Committee shall not be eligible to stand for election to the Board.

Section 4. Members of the Association shall be immediately advised, by mail, of the names of those persons appointed to the Nominating Committee and shall be advised as to the procedures and requirements with respect to nominations and elections.

Section 5. The Nominating Committee shall prepare a report for presentation and distribution to all delegates in the forenoon of the first day of the Annual Meeting. Following the adoption of the Report of the Nominating Committee, the session will be open to additional nominations from the floor and such nominations shall be received in accordance with the procedures established for such purpose and circulated to the delegates.

Section 6. The Executive Committee shall prescribe the manner of holding elections, including the forms to be used, the method of voting and such rules and procedures pertaining thereto so as to enhance the fair and proper conduct of the elections.

Section 7. The elections shall take place on the second day of the Annual Meeting in a manner and at a time to be designated by the Executive Committee.

ARTICLE XI - SECTIONS

Section 1. The Association shall make provision for the existence of the following Sections within the structure of the Association:

(a) Large Urban
(b) Small Urban
(c) Rural
(d) County and Regional
(e) Northern Ontario

Section 2. Each Section shall have an Annual Meeting and thereat shall elect an Executive Committee in accordance with procedures adopted by each Section.

Section 3. Each Section shall have a Chairman and other Officers in accordance with Section Policy.

Section 4. For the purposes of election or appointment to the Executive Committee of a Section, the Sections shall be defined as follows, subject to Section 5:

(a) **Large Urban** - Cities, Boroughs and Towns having a population of 50,000 or more.
(b) **Small Urban** - Cities and Towns having a population of less than 50,000 and Townships and Villages with an urban interest.
(c) **Rural** - Towns, Townships and Villages with a rural interest.
(d) **County and Regional** - All Counties, Regional, Metropolitan and District Municipalities.
(e) **Northern Ontario** - Municipalities located within territorial districts.

Section 5. Where a member wishes to be eligible for representation on the Executive Committee of a Section other than the Section for which the member would normally be eligible, the member may apply in writing to the Executive Committee of the Section for which it wishes to be eligible. Upon approval of that Executive Committee, the member shall become eligible for representation on that Executive Committee, and will cease to be eligible for representation on the Executive Committee for which it was previously eligible.

Section 6. The foregoing shall not limit the participation or attendance of any Association members in the programs and at the meetings of any Sections except that such participation may not include voting privileges.

Section 7. The Executive Committee of each Section shall consist of not more than fourteen (14) representatives of Association members.

Section 8. No member municipality shall have representation on more than one Section Executive Committee. Section 8 does not apply to those municipalities within territorial districts who may have representation on the Northern Ontario Section and one other Section.

Section 9. A member of the Board of Directors of the Association is eligible to stand for election to the Executive Committee of any Section, but once successfully elected at the Section Annual Meeting, must then resign from the Board. This condition would not apply to the Section Chairmen and the two appointees to the Board from each Section, or to the Immediate Past Chairman of each Section.

Section 10. The Chairman of each Section shall serve on the Board of the Association. In addition, each Section shall appoint two members to the Board of the Association having regard to Article VII, Section 2.

Section 11. At least two (2) of the three (3) Section representatives to the Board of the Association shall be elected representatives of member municipalities.

Section 12. Each Section shall develop policies and procedures with respect to the following, such policies and procedures not being contrary to any Article of this Constitution:

(a) name;
(b) eligibility for membership on Executive Committee;
(c) voting procedures and eligibility;
(d) duties of the Officers;
(e) calling and planning of Annual Meeting;
(f) processing of resolutions;
(g) budget.

Section 13. All external policy and resolutions developed and action approved by the Sections shall be forwarded to the Association for consideration and action.

ARTICLE XII - AFFILIATION

Section 1. Affiliate members shall enjoy all the rights, privileges and obligations accorded to municipal members, and in the development of policy, shall have regard for policies of the Association.

Section 2. The Association shall encourage the efforts of the affiliated members, and shall have regard for the policies of the affiliate members in the development of Association policy.

Section 3. Where possible and appropriate, affiliated members shall provide research and resource assistance to the Association in the development of Association policy. Such assistance shall reflect the expertise of the affiliate member.

Section 4. In advance of submissions to other levels of government, affiliate members shall submit to the Association for its information, all policies and recommendations having significant implications for municipal government. Similarly, coincident to submissions to other levels of government, the Association shall submit all policies and recommendations to the appropriate affiliate member(s) for its (their) information.

Section 5. The Association shall be given the opportunity to attend all meetings between affiliate members and ministers, deputy ministers and assistant deputy ministers of other levels of government, and the opportunity to attend presentations by affiliate members to the government and government agencies.

Section 6. Commencement and termination of affiliation shall, subject to the provisions of Article IV, be in accordance with procedures adopted by the Board.

ARTICLE XIII - ANNUAL MEETING

Section 1. There shall be an Annual Meeting of the Association at such time and place as shall be recommended by the Executive Committee and approved by the Board.

Section 2. Special or general meetings of the Association may be called by the Executive Committee. The President or the Executive Director shall call a special or general meeting when requested to do so in writing by thirty (30) members of the Association. A request for the calling of a meeting shall state the purpose for which the meeting is requested.

Section 3. A minimum of thirty (30) days notice of annual, general or special meetings shall be provided in writing to all Association members.

Section 4. A quorum for annual, general and special meetings of the Association shall be when delegates of thirty (30) members are present.

ARTICLE XIV - RESOLUTIONS

Section 1. Resolutions may be presented to the Association by its members and Sections. All resolutions to be included in the resolutions report for presentation and disposition at an Annual Meeting shall be submitted to the Association at least seventy-five (75) days prior to the Annual Meeting.

Section 2. There shall be a resolutions committee and a chairman of the resolutions committee appointed by the Executive Committee prior to the Annual Meeting. This committee shall meet for the purpose of considering all resolutions and submitting its recommendations on each resolution to the Annual Meeting.

Section 3. The Board shall establish rules and procedures for consideration of resolutions including a process for the consideration of resolutions between Annual Meetings.

Section 4. Late resolutions from members of the Association may be received and dealt with according to the procedures as established under Section 3 of this Article.

Section 5. Resolutions may be submitted also by the Board for consideration of the Annual Meeting or any other meeting of the Association.

Section 6. Questions of importance affecting municipalities not specifically dealt with by resolution may be raised and discussed at meetings of the Association, provided that a majority of the voting delegates attending such meeting agree by means of a non-debatable procedural resolution, to its introduction.

Section 7. No delegate shall have the right to introduce on the floor of a meeting, a resolution that has not been approved at a regular or special meeting of the member that the delegate represents, except that resolutions of congratulations, condolence or appreciation may be presented to the Annual Meeting at any time.

ARTICLE XV - FINANCES

Section 1. The fiscal year of the Association shall be the calendar year.

Section 2. There shall be an annual audit of the accounts of the Association by independent professional accountants appointed by the Board for presentation to the Annual Meeting.

Section 3. Investment of Funds of the Association

(a) Where the Association has on hand funds in excess of the current requirements, the Treasurer may, in accordance with Executive Committee policy, invest such funds for the Association in the same manner as that permitted municipalities under the provision of the Municipal Act of Ontario.

(b) The Treasurer, with the approval of the Executive Committee, may convert into cash or otherwise dispose of securities, notes, certificates, term deposits or other evidences of indebtedness held for the Association.

Section 4. Borrowing

(a) The Executive Committee shall have the power to borrow on credit of the Association in the anticipation of the receipt of annual fees or special assessments, an amount, inclusive of the calculated interest thereon, not in excess of a sum or sums then levied or assessed, but not yet collected.

(b) All indebtedness incurred by the Association in excess of the sum collected in the preceding fiscal year shall be authorized only by resolution of the Board of Directors.

Section 5. All cheques of the Association shall be signed in accordance with Executive Committee policy.

ARTICLE XVI - GENERAL

Section 1. In all matters of procedure not provided for by law or this Constitution arising at any meeting, the question shall be decided by the President whose decision may be appealed to the meeting without debate.

Section 2. The Board shall establish procedures to be followed for the conduct of meetings including matters relating to voting thereat.

Section 3. The Board may cause a process to be formulated for the recognition of service, dedication and contribution to the Association.

Section 4. The Association Board shall establish such standing, special or ad hoc committees as deemed advisable and establishment of such committees shall be in accordance with the administrative procedures adopted by the Board.

ARTICLE XVII - PRINCIPLE OF DECISION-MAKING

Section 1. The Association shall ensure that where issues of consequence to municipalities are identified, all viewpoints of members, through their appropriate sections, upon the matter - affirmative, dissenting and minority - are presented and represented with any majority opinion as constituting component parts of the total municipal position.

ARTICLE XVIII - AMENDMENT OF CONSTITUTION

Section 1. The Constitution of the Association may be amended or altered only at an Annual Meeting of the Association.

Section 2. Proposals for amendment or alteration may be introduced at the Annual Meeting by either resolution of the Board or by petition of any two members of the Association if the proposal(s) has(have) been received by the Executive Director at least sixty (60) days prior to the Annual Meeting.

Section 3. Where such notice has been given to the Executive Director, notice of the proposal or proposals shall be sent to every member at least thirty (30) days prior to the Annual Meeting.